THE

LAWS OF JAMAICA:

COMPREHENDING

ALL THE ACTS IN FORCE,

Passed between the THIRTY-SECOND Year of the Reign of

KING CHARLES THE SECOND,

And the THIRTY-THIRD Year of the Reign of

KING GEORGE THE THIRD.

TO WHICH IS PREFIXED,

A TABLE *of the* TITLES *of the* PUBLIC *and* PRIVATE ACTS *passed during that Time.*

CAREFULLY REVISED AND CORRECTED FROM THE ORIGINAL RECORDS;
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BRITISH MUSEUM

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20. An act to eſtabliſh the probates of all deeds and conveyances, which have been proved and acknowledged in this iſland ſince the ſecond day of October, in the year of our Lord one thouſand ſeven hundred and fifty-eight, before perſons who had been appointed judges under an act entitled, "An act to enlarge the juriſdiction of the ſeveral inferior courts of common pleas," and ſince the repeal thereof, good and valid in that reſpect only; as alſo to eſtabliſh the probates of all deeds and conveyances, taken and acknowledged by juſtices of aſſize, good and valid in that reſpect only; and to eſtabliſh certain toll-books, for the pariſhes of St. Dorothy and St. Thomas in the Vale, as records.

21. An act to prevent frivolous and vexatious ſuits at law.

22. An act to remedy the evils ariſing from irregular aſſemblies of ſlaves, and to prevent their poſſeſſing arms and ammunition, and going from place to place without tickets; and for preventing the practice of obeah; and to reſtrain overſeers from leaving the eſtates under their care on certain days; and to oblige all free negroes, mulattoes, or Indians, to regiſter their names in the veſtry-books of the reſpective pariſhes of this iſland, and to carry about them the certificate, and wear the badge, of their freedom; and to prevent any captain, maſter, or ſupercargo of any veſſel, bringing back ſlaves tranſported off the iſland. *Rep.*

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24. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to give freedom to ſlaves deſerting from the enemy; and to protect freeholders

on the days of chooſing churchwardens and veſtrymen. *Exp.*

25. An act to oblige perſons in whoſe favour judgments at law have been or ſhall be obtained, and the monies due thereon are ſatisfied, to enter ſatisfaction on the record of ſuch judgments, in a limited time after the debt and coſts are ſo paid; and to oblige the provoſt-marſhal to diſcharge in his books all writs of execution and venditioni lodged in his office, upon a proper diſcharge being produced to him for that purpoſe. *Rep.*

26. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

27. An act for raiſing a tax by a duty on vellum, parchment, and paper, aſcertained by ſtamps; and applying the ſame to ſeveral uſes. *Exp.*

28. An act for the ſubſiſtence of the five independent companies of ſoldiers lately arrived in this iſland. *Exp.*

29. An act to explain and amend an act, entitled, "An act to oblige the juſtices and veſtrymen of ſeveral pariſhes in this iſland to build, repair, and keep in repair, barracks, magazines, and arſenals, in their reſpective pariſhes."

30. An act to explain and amend two ſeveral acts of this iſland, one entitled, "An act for giving licenſe to the captors, other proprietors, and purchaſers of prize-goods, brought into and condemned, as ſuch, in this iſland, to export the ſame under certain regulations, free from any duties impoſed by the laws of this iſland; and for laying a duty on certain wines that may be brought in and condemned as prize, and ſold in this iſland, and not already liable to any duty or impoſt;" and the other an act entitled, "An act to prohibit the importation of ſugars, rum, and melaſſes, of the growth of the French, Spaniſh, Dutch, and Daniſh colonies in America, into this iſland; and for preventing ſeveral frauds committed by perſons trading to and from the northern colonies." *Rep.*

PRIVATE ACTS.

Anno 1 *Georgii* III.

An act for enabling Alexander Gordon to carry into execution his projected improvement of water-mills and cattle-mills, for grinding of ſugar-canes.

An act to intitle Anna Petronella Woodart, ſpinſter, a free mulatto, to the ſame rights and privileges with Engliſh ſubjects, born of white perſons.

PUBLIC ACTS.

Anno 2 *Georgii* III.—1761.

1. AN ACT for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof." *Exp.*

2. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; and for ſubſiſting for one year the officers and ſoldiers of his majeſty's forty-ninth regiment of foot. *Exp.*

3. An act to oblige the ſeveral inhabitants of this iſland to provide themſelves with a ſufficient number of white men, white women, or children, or pay certain ſums

of money in caſe they ſhall be deficient; and applying the ſame to ſeveral uſes; to give freedom to ſlaves deſerting from the enemy; and to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

4. An act for raiſing a tax by a duty on vellum, parchment, and paper, aſcertained by ſtamps; and applying the ſame to ſeveral uſes. *Exp.*

5. An act for the better regulating the proceedings, and eſtabliſhing the fees, of the ſurveyors. *Exp.*

6. An act to repeal part of an act entitled, "An act for the better order and government of ſlaves;" and alſo one other act entitled, "An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and alſo part of one other act, entitled, "An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, 'An act for the better order and government of ſlaves;' and the other entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and alſo one other act, entitled, "An act to repeal part of an act entitled, 'An act for the better order and government of ſlaves;' and alſo of one other act, entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;' and alſo part of one other act entitled, 'An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, 'An act for the better order and government of ſlaves,' and the other entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and for the more effectual preventing the inveigling, hiding, concealing, or employing, the ſlaves of others; and for rendering the puniſhment of ſuch offenders more certain and effectual;" and for the ſpeedy and more effectual puniſhment of perſons hiding, concealing, inveigling, detaining, knowingly harbouring, or employing, the ſlaves of others. *Exp.*

7. An act to repeal part of an act entitled, "An act to oblige the juſtices and veſtrymen of the ſeveral pariſhes of this iſland to build, repair, and keep in repair, barracks, magazines, and arſenals, in their reſpective pariſhes; and to enable the juſtices and veſtrymen of the pariſh of St. Mary to lay a tax for raiſing the ſum of four thouſand five hundred pounds, to be laid out in paying for the barracks already built at Puerto-Maria and Oracabeſſa, and for defraying the expence of building a barrack at Jack's Bay, in the ſaid pariſh.

8. An act to prevent the inconveniencies ariſing from exorbitant grants and deviſes made by white perſons to negroes, and the iſſue of negroes; and to reſtrain and limit ſuch grants and deviſes.

9. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports; and on offices and houſes; and alſo for laying a tax on certain

certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

10. An act to explain and amend an act, entitled, "An act to remedy the evils ariſing from irregular aſſemblies of ſlaves, and to prevent their poſſeſſing arms and ammunition, and going from place to place without tickets; and for preventing the practice of obeah; and to reſtrain overſeers from leaving the eſtates under their care on certain days; and to oblige all free negroes, mulattoes, or Indians, to regiſter their names in the veſtry-books of the reſpective pariſhes of this iſland, and to carry about them the certificate, and wear the badge, of their freedom; and to prevent any captain, maſter, or ſupercargo of any veſſel, bringing back ſlaves tranſported off this iſland." *Rep.*

11. An act to reſtrain the inhabitants of the pariſh of St. Thomas in the Eaſt from working any carriages of burthen, but with broad wheels, on certain roads in the ſaid pariſh. *Exp.*

12. An act to make free a negro ſlave named Jack, the property of Peter Thomas, of the pariſh of St. Mary, planter, for his faithful ſervices to the public.

13. An act for laying a duty on all wines, rum, and other ſpirituous liquors, retailed within this iſland, and applying the ſame to ſeveral uſes; and for laying a further tax on licenſes to be granted for the retailing of wine and other liquors. *Exp.*

14. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*

15. An act appointing commiſſioners to ſettle the public accounts, and look into the ſtate of, and count the caſh in, the treaſury; and to oblige the receiver-general to keep one general account of caſh. *Exp.*

16. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

17. An act to borrow a certain ſum of money by a lottery, for the regular payment of his majeſty's forces in this iſland, and other exigencies of the government. *Exp.*

18. An act to augment the ſalary of his excellency William Henry Lyttelton, eſquire. *Exp.*

19. An act to prevent diſcontinuance of proceſs, by reaſon of the martial law. *Obſ.*

20. An act for veſting in truſtees certain tolls to keep the ferry, and to erect toll-gates or turnpikes on the ſeveral roads leading from St. Jago de la Vega to Paſſage-Fort, in the pariſh of St. Catherine, and to the extreme part of Waterhouſe Savanna, neareſt to Half-way-Tree, in the pariſh of St. Andrew, for repairing and keeping in repair the ſaid roads; and other purpoſes therein mentioned. *Exp.*

21. An act to empower the receiver-general to borrow the ſum of three thouſand nine hundred and eighty-one pounds one ſhilling and ſix pence, upon intereſt, for the uſes within mentioned. *Exp.*

22. An act for amending and keeping in repair a road leading from Pepper Plantation, over Mayday-Hills, in the pariſh of St. Elizabeth, to St. Jago Plantations, in the pariſh of Clarendon; and for veſting in truſtees the toll raiſed by a turnpike on the ſaid Mayday-Hills, for the purpoſes aforeſaid. *Exp.*

23. An act to explain and amend two ſeveral acts of this iſland, one entitled, "An act for the giving licenſe to the captors, other proprietors, and purchaſers, of prize-goods, brought into

and

and condemned as ſuch in this iſland, to export the ſame, under certain regulations, free from any duties impoſed by the laws of this iſland; and for the laying a duty on certain wines that may be brought in and condemned as prize, and ſold in this iſland, and not already liable to any duty or impoſt;" and the other, an act entitled, "An act to prohibit the importation of ſugars, rum, and melaſſes, of the growth of the French, Spaniſh, Dutch, and Daniſh colonies in America, into this iſland; and for preventing ſeveral frauds committed by perſons trading to and from the northern colonies." *Exp.*

24. An act for providing two thouſand negroes for the immediate ſervice of his majeſty. *Exp.*

25. An act to repeal a clauſe in an act entitled, "An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to give freedom to ſlaves deſerting from the enemy; and to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections." *Exp.*

PRIVATE ACTS.

Anno 2 *Georgii* III.

An act for enabling James Short to carry into execution his new-invented hydraulic machine.

An act to intitle John Elletſon and Dorothy Elletſon, free mulattoes, reputed children of John Elletſon, late of the pariſh of St. Thomas in the Eaſt, eſquire, deceaſed, by Jane Harris, a free mulatto woman, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to intitle Eleanor Clifford, Mary Clifford, Frances Clifford, Martha Clifford, John Clifford, and Thomas Clifford, free mulattoes, reputed children of John Clifford, of the pariſh of St. Catherine, gentleman, by Phæbe Forord, a free mulatto woman, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to intitle Dugald Clarke, a free mulatto man, the reputed ſon of Robert Clarke, late of the pariſh of Hanover, eſquire, deceaſed, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

PUBLIC ACTS.

Anno 3 *Georgii* III.—1762.

1. AN ACT for raiſing a tax by a duty on vellum, parchment, and paper, aſcertained by ſtamps; and applying the ſame to ſeveral uſes. *Exp.*

2. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes; and to enable the receiver-general to proceed with all French prizes, in all reſpects, as he is by law enabled to do with Spaniſh prizes. *Exp.*

3. An act to veſt a certain parcel of land, ſituate, lying, and being, in the pariſh of St. Andrew, in the preſent churchwarden or churchwardens of the pariſh of Port-Royal, or the churchwarden or churchwardens of the ſaid pariſh for the time being, for the uſe of the inhabitants

habitants of the pariſh of Port-Royal, agreeable to the true intent and meaning of letters patent granted by his late majeſty king Charles the ſecond to Joſeph Hunt, his heirs and ſucceſſors, formerly churchwarden of the ſaid pariſh; and to enable the preſent churchwarden or churchwardens of the pariſh of Port-Royal, or the churchwarden or churchwardens of the ſaid pariſh for the time being, to maintain or defend any ſuit or ſuits, at law or in equity, for recovery of the ſame, or any part or parcel thereof.

4. An act for the relief and better regulation of the poor; and to oblige maſters of ſhips and other veſſels to indemnify the ſeveral pariſhes of this iſland againſt any charges and expences for ſupporting and curing their ſick, maimed, infirm, or diſabled ſeamen. *Exp.*

5. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

6. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*

7. An act for the ſale of Madeira and other wines, and other liquors, imported into this iſland in caſk, by gauge. *Exp.*

8. An act for the better order and government of the negroes belonging to the ſeveral negro-towns, and for preventing them from purchaſing of ſlaves; and for encouraging the ſaid negroes to go in purſuit of runaway ſlaves. *Exp.*

9. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's forty-ninth regiment of foot. *Exp.*

10. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

11. An act for laying a duty on all wines, rum, and other ſpirituous liquors, retailed within this iſland, and applying the ſame to ſeveral uſes; and for laying a further tax on licenſes to be granted for the retailing of wine and other liquors. *Exp.*

12. An act to make good divers deeds, writings, and proceedings, in law and equity; and to obviate certain doubts in the conſtruction of two ſeveral acts, reſpectively entitled, "An act for raiſing a tax by a duty on vellum, parchment, and paper, aſcertained by ſtamps; and applying the ſame to ſeveral uſes." *Obſ.*

PRIVATE ACTS.

Anno 3 *Georgii* III.

An act for enabling John Greenhill Yonge to carry into execution his projected improvement of water-mills and cattle-mills, for grinding of ſugar-canes.

An act to intitle Robert Penny and Lucy Penny, reputed children of Robert Penny, late of the pariſh of St. Catherine, eſquire, deceaſed, by Ann Ferrord, a free mulatto woman, deceaſed, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

PUBLIC ACTS.

Anno 4 *Georgii* III.—1763.

1. AN ACT for the prevention of indebted perſons from departing this iſland

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in the time of martial law; and to empower the judges and juſtices to exerciſe their ſeveral offices in certain caſes; and to empower the juſtices and veſtry, and churchwardens, and ſurveyors of highways, to diſcharge their ſeveral duties; and to enable landlords to diſtrain for rent, notwithſtanding martial law. *Exp.*

2. An act for making free a negro man ſlave named Jack Pearſon, belonging to the eſtate of William Rickets, eſquire, deceaſed.

3. An act to limit the duration of the ſeveral courts of juſtice in this iſland. *Exp.*

4. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

5. An act to give a recompenſe to perſons that ſhall be unjuſtly vexed by writs of replevin. *Exp.*

6. An act for laying a duty on all wines, rum, and other ſpirituous liquors, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wine and other liquors; and for laying a tax on ſupercargoes, and on the public officers; and applying the ſame to ſeveral uſes. *Exp.*

7. An act to encourage the cutters of, and dealers in, mahogany of the growth of this iſland; and to prevent the fraudulent exportation of foreign mahogany from this iſland, as and for mahogany of the growth thereof; and to lay a duty upon all mahogany imported into this iſland from the French, Spaniſh, Dutch, and Daniſh colonies in America, in Britiſh bottoms. *Exp.*

8. An act to enable the aſſiſtant judges to ſign writs, in caſe of diſability or abſence of the chief juſtice; and for regulating the admiſſion and copartnerſhips of attornies in this iſland.

9. An act for eſtabliſhing the fees of the clerk of the ſupreme court of judicature of this iſland; and eſtabliſhing the fees of the chief juſtice and attornies in all judicial writs. *Exp.*

10. An act to oblige the ſeveral inhabitants of this iſland to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

11. An act for appointing commiſſioners for ordering and inſpecting the works in and about the forts, fortifications, and barracks of this iſland. *Exp.*

12. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*

13. An act to appoint commiſſioners of correſpondency, to direct the management of the public affairs of this iſland in Great-Britain. *Rep.*

14. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's forty-ninth regiment of foot. *Exp.*

PRIVATE ACTS.

Anno 4 *Georgii* III.

An act to intitle Milbe Johnſon, of the pariſh of St. Andrew, Catherine Johnſon, his wife, and Mary Elizabeth Johnſon, daughter of the ſaid Milbe Johnſon, free mulattoes, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to intitle Sarah Morris, of the pariſh of Kingſton, a free quadroon woman, and Charlotte Stirling, reputed daughter

daughter of Robert Stirling, late of the ſame place, eſquire, deceaſed, by the ſaid Sarah Morris, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to intitle Charles Price, a free mulatto man, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

PUBLIC ACTS.

Anno 5 Georgii III.—1764.

1. AN ACT for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*
2. An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof." *Exp.*
3. An act appointing commiſſioners to ſettle the public accounts, and look into the ſtate of, and count the caſh in, the treaſury; and to oblige the receiver-general to keep one general account of caſh. *Exp.*
4. An act to limit the duration of the ſeveral courts of juſtice in this iſland. *Exp.*
5. An act for making free a negro man ſlave named Cato, belonging to Arthur Forreſt, eſquire.
6. An act for re-veſting a certain parcel of land, in the pariſh of Weſtmorland, in his majeſty, in order to enable him to re-grant the ſame to John Ellis, eſquire, under certain conditions.
7. An act for appointing Stephen Fuller, eſquire, an agent in Great-Britain, to ſolicit the paſſing of laws, and other public affairs of this iſland; and empowering certain members of the council and aſſembly, during the intervals of aſſembly, from time to time, as occaſion ſhall be, to give inſtructions for ſuch his management; and to repeal an act entitled, "An act to appoint commiſſioners of correſpondency, to direct the management of the public affairs of this iſland in Great-Britain." *Exp.*
8. An act to explain and enlarge part of an act of the governor, council, and aſſembly of this iſland, entitled, "An act to prevent the abuſes committed by entertaining, concealing, or carrying off, any of his majeſty's ſoldiers, any white men or women ſervants, or ſlaves, without tickets; and for the better regulating ſervants, and deciding differences between maſters and ſervants;" and to prevent the ſale of arms and cloaths by ſoldiers and deſerters.
9. An act to repeal a clauſe in an act entitled, "An act for obliging the juſtices and veſtry of the pariſh of St. Mary to make good certain deficiencies to the public; and for altering the day of electing veſtrymen and churchwardens in the ſaid pariſh;" and to appoint a day in each year for the chooſing veſtrymen, and other parochial officers, in the ſaid pariſh. *Rep.*

PRIVATE ACT.

Anno 5 Georgii III.

An act to intitle John William Hicks, a free quadroon, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

PUBLIC ACTS.

Anno 6 *Georgii* III.—1766.

1. AN ACT to make void all bills, bonds, mortgages, judgments, recogniſances, fines, and amerciaments, and all and every other writings obligatory whatſoever, whereon no payment hath been or ſhall be made, or which have not been or ſhall not be legally demanded, within the ſpace of twenty-one years from the time they reſpectively became or ſhall become due, or from the laſt payment thereon. *Diſal.*
2. An act to enable the juſtices and veſtry of the pariſhes of St. Catherine and St. Mary more effectually to repair the highways in the ſaid pariſhes.
3. An act to inflict further puniſhment on perſons receiving ſtolen goods, knowing them to be ſtolen. *Exp.*
4. An act to veſt certain parcels of land, ſituate, lying, and being, in the pariſh of St. Catherine, in the juſtices, veſtrymen, and churchwarden or churchwardens of the ſaid pariſh, and the juſtices, veſtrymen, and churchwarden or churchwardens, of the ſaid pariſh for the time being, for the uſe of the inhabitants of the ſaid pariſh; and to enable the preſent juſtices, veſtrymen, and churchwarden or churchwardens, of the ſaid pariſh, or the juſtices, veſtrymen, and churchwarden or churchwardens for the time being, to maintain or defend any ſuit or ſuits at law or in equity for recovery of the ſame, or any part or parcel thereof, and to make leaſes of part of the ſaid lands, for the uſe of the ſaid pariſh.
5. An act for laying a duty on all wines, rum, and other ſpirituous liquors, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wine and other liquors; and for laying a tax on ſupercargoes, and on the public officers; and applying the ſame to ſeveral uſes. *Exp.*
6. An act for the prevention of indebted perſons from departing this iſland in the time of martial law; and to empower the judges and juſtices to exerciſe their ſeveral offices in certain caſes; and to empower the juſtices and veſtry, and churchwardens, and ſurveyors of highways, to diſcharge their ſeveral duties; and to enable landlords to diſtrain for rent, notwithſtanding martial law. *Exp.*
7. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*
8. An act to explain, amend, and render more effectual, an act entitled, "An act to augment the ſalary of his excellency George Haldane, eſquire; and for providing certain lands and premiſes to be annexed to the government, for the uſe of the governor for the time being." *Exp.*
9. An act for granting an additional ſalary to his honour Roger Hope Elletſon, eſquire, lieutenant-governor and commander in chief, during his adminiſtration. *Exp.*
10. An act for the ſetting mutual debts one againſt the other. *Diſal.*
11. An act to repeal part of an act entitled, "An act for the better order and government of ſlaves;" and alſo one other act, entitled, "An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and alſo part of one other act, entitled, "An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one

one entitled, ‘ An act for the better order and government of ſlaves,’ and the other entitled, ‘ An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;” and alſo one other act, entitled, “ An act to repeal part of an act entitled, ‘ An act for the better order and government of ſlaves;’ and alſo of one other act, entitled, ‘ An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;’ and alſo part of one other act entitled, ‘ An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, ‘ An act for the better order and government of ſlaves,’ and the other entitled, ‘ An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;’ and for the more effectual preventing the inveigling, hiding, concealing, or employing, the ſlaves of others; and for rendering the puniſhment of ſuch offenders more certain and effectual;” and for the ſpeedy and more effectual puniſhment of perſons hiding, concealing, inveigling, detaining, knowingly harbouring, or employing, the ſlaves of others. *Exp.*

12. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting the officers and ſoldiers of his majeſty's thirty-ſixth and ſixty-ſixth regiments of foot. *Exp.*

13. An act to reſtrain the working carriages of burthen, within the pariſhes of St. Dorothy and Clarendon, but with broad wheels, on the highways in the ſaid pariſhes.

14. An act for the better order and government of the negroes belonging to the ſeveral negro-towns; and for preventing them from purchaſing of ſlaves; and for encouraging the ſaid negroes to go in purſuit of runaway ſlaves. *Exp.*

15. An act for the relief and better regulation of the poor; and to oblige maſters of ſhips and other veſſels to indemnify the ſeveral pariſhes of this iſland againſt any charges and expences for ſupporting and curing their ſick, maimed, infirm, or diſabled ſeamen. *Exp.*

16. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the day's of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

17. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

18. An act to enable the juſtices and veſtry of St. Thomas in the Vale more effectually to repair the highways in the ſaid pariſh, and the highway leading from the ſaid pariſh to the town of St. Jago de la Vega.

19. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*

TABLE OF THE ACTS.

PUBLIC ACTS.

Anno 7 Georgii III.—1766.

1. AN ACT for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's thirty-ſixth and ſixty-ſixth regiments of foot. *Exp.*
2. An act for laying a duty on all wines, rum, and other ſpirituous liquors, retailed within this iſland, and for laying a further tax on licenſes to be granted for the retailing of wine and other liquors; and for laying a tax on ſupercargoes, and on the public officers; and applying the ſame to ſeveral uſes; to continue for a certain time two ſeveral acts, paſſed the laſt ſeſſion of aſſembly, the one entitled, ' An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections," and the other entitled, " An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes." *Exp.*
3. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

PRIVATE ACTS.

Anno 7 Georgii III.

An act to intitle John Donaldſon, of the pariſh of Clarendon, in the iſland of Jamaica, a free mulatto man, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to intitle Frances Freeman Ripley, Cleopatra Freeman Ripley, Suſanna Freeman Ripley, Ann Freeman Ripley, Mary Freeman Ripley, and Elizabeth Freeman Ripley, the reputed daughters of John Ripley, of the pariſh of St. Andrew, gentleman, by Emma Freeman, a free negro woman, and Henry Freeman Ripley, the reputed ſon of the ſaid John Ripley by the ſaid Emma Freeman; and William Gibſon, the reputed ſon of James Gibſon, of the pariſh of Kingſton, paſtry-cook, by the ſaid Cleopatra Freeman Ripley, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to intitle Elizabeth Fickle, of the pariſh of Kingſton, in the iſland of Jamaica, a free mulatto woman, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to intitle Elizabeth Diſton, of the pariſh of Kingſton, in the county of Surrey, in the ſaid iſland, a free mulatto woman, and Ann Coffley, Mary Coffley, John Coffley, Richard Coffley, and Peter Coffley, the reputed ſons and daughters of John Coffley, eſquire, by the ſaid Elizabeth Diſton, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An

An act to intitle Frances Willey, of the pariſh of St. Andrew, a free mulatto woman, and Mary Willey, the daughter of the ſaid Frances Willey, begotten by William Willey in wedlock; and Charles M'Glaſhan and Jean M'Glaſhan, the reputed ſon and daughter of Duncan M'Glaſhan, practitioner in phyſic and ſurgery, by the ſaid Mary Willey, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

PUBLIC ACTS.

Anno 8 *Georgii* III.—1767.

1. AN ACT to limit the duration of the ſeveral courts of juſtice in this iſland, and to enable one judge of the ſupreme court of judicature, and one juſtice of the courts of aſſize of the counties of Surrey and Cornwall, to open and adjourn the ſaid courts reſpectively. *Exp.*
2. An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder, payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof." *Exp.*
3. An act for appointing Stephen Fuller, eſquire, an agent in Great-Britain, to ſolicit the paſſing of laws, and tranſacting in Great-Britain other public affairs of this iſland; and for empowering certain members of the council and aſſembly, during the intervals of aſſembly, from time to time, as occaſion ſhall be, to give inſtructions for ſuch his management. *Exp.*
4. An act to oblige the ſeveral collecting conſtables of the reſpective pariſhes of this iſland, in a ſummary manner, to pay over the parochial taxes into the hands of the reſpective churchwardens. *Exp.*
5. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*
6. An act for raiſing a tax by the poll, and on trades; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*
7. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's thirty-ſixth and ſixty-ſixth regiments of foot; and to enable the juſtices and veſtry, of ſome of the inland pariſhes of this iſland, to erect or build a convenient houſe for the carrying on the parochial and public buſineſs of the ſaid pariſhes, and for paying for the ſame out of the parochial taxes. *Exp.*
8. An act to veſt a certain piece or parcel of land, in the pariſh of St. Dorothy, in truſtees, for the uſe of the inhabitants of the ſaid pariſh; and for veſting a certain piece of foot-land in John Spencer; and to empower the juſtices and veſtry of the ſaid pariſh of St. Dorothy to raiſe a tax upon the inhabitants of the ſaid pariſh, for certain purpoſes.
9. An act for making free and rewarding two negro men ſlaves, the one named York, belonging to the eſtate of Ballard Beckford, deceaſed, and the other named Cuffee, belonging to James Charles Sholto

Sholto Douglas, eſquire; and for paying to their owners their reſpective values.

10. An act for laying a duty on all wines, rum, and other ſpirituous liquors, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wine and other liquors; and for laying a tax on ſupercargoes, and on the public officers; and applying the ſame to ſeveral uſes. *Exp.*

11. An act to vacate and make void an agreement made between the honourable Charles Price the elder, eſquire, and the commiſſioners appointed by an act entitled, "An act for veſting in truſtees certain tolls to keep the Ferry, and erect toll-gates or turnpikes on the ſeveral roads leading from St. Jago de la Vega to Paſſage-Fort, in the pariſh of St. Catherine, and to the extreme part of Waterhouſe Savanna, neareſt to Halfway-Tree, in the pariſh of St. Andrew, for repairing and keeping in repair the ſaid roads; and other purpoſes therein mentioned;" and to repeal ſuch part of ſaid act as relates thereto; and to oblige the pariſhes of St. Catherine and St. Thomas in the Vale to lay a tax upon the inhabitants of the ſaid pariſhes, for raiſing the ſum of ſeven hundred pounds, to be paid into the treaſury, to make good ſo much money ordered to be paid to the ſaid Charles Price the elder, eſquire. *Obſ.*

12. An act for veſting certain lands and premiſes, in the pariſh of Clarendon, in truſtees, to be by them leaſed or ſold, for the uſe of the ſaid pariſh.

13. An act for building a bridge over the Rio Cobre. *Rep.*

14. An act for the better diſcovering and collecting the arrears of his majeſty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due. *Rep.*

15. An act for the relief of perſons who have neglected to give-in an account of the land which they hold, liable to pay quit-rents to his majeſty, according to the directions of an act of the lieutenant-governor, council, and aſſembly of this iſland, paſſed the laſt ſeſſion of aſſembly, entitled, "An act for the better diſcovering and collecting the arrears of his majeſty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due." *Obſ.*

PRIVATE ACTS.

Anno 8 *Georgii* III.

An act for enabling the honourable Francis Cooke, eſquire, to carry into execution his new-invented cattle-mill for grinding of ſugar-canes.

An act for veſting in truſtees ſeveral meſſuages and tracts of land, part of the eſtate of Ballard Beckford, eſquire, deceaſed, in truſt to ſell and diſpoſe of the ſame, for payment of the debts of the ſaid Ballard Beckford, and other purpoſes therein mentioned. *Rep.*

PUBLIC ACTS.

Anno 9 *Georgii* III.—1768.

1. AN ACT for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's thirty-ſixth and ſixty-ſixth regiments of foot. *Exp.*

2. An act for the prevention of indebted perſons from departing this iſland in the time of martial law; and to empower the judges and juſtices to exerciſe their ſeveral offices in certain caſes; and to empower the juſtices and veſtry, and churchwardens, and ſurveyors of highways,

highways, to diſcharge their ſeveral duties; and to enable landlords to diſtrain for rent, notwithſtanding martial law. *Exp.*

3. An act to give a recompenſe to perſons that ſhall be unjuſtly vexed by writs of replevin. *Exp.*

4. An act to repeal part of an act entitled, "An act for erecting, eſtabliſhing, and regulating, a free-ſchool in the pariſh of Weſtmorland, in this iſland, and enforcing the laſt will and teſtament of Thomas Manning, deceaſed;" and for the better and more effectual carrying the ſaid act into execution; and for the prevention of damages that may ariſe by fire in the town of Savanna-la-Mar, in the ſaid pariſh of Weſtmorland.

5. An act for granting an additional ſalary to his excellency ſir William Trelawny, baronet, captain-general, governor, and commander in chief, from the time of his arrival in this iſland, during his adminiſtration. *Exp.*

6. An act to repeal part of an act entitled, "An act for rendering the ſeveral donations, which have been given and bequeathed to the uſe of the poor of the pariſh of Vere, in the ſaid iſland, more uſeful; and for erecting and endowing a free-ſchool in the ſaid pariſh;" and for the better and more effectual carrying the ſaid act into execution.

7. An act for laying a duty on all wines, rum, and other ſpirits, retailed within this iſland, and for laying a further tax on licenſes to be granted for the retailing of wines and other liquors; and for laying a tax on ſupercargoes, and on the public offices; and applying the ſame to ſeveral uſes. *Exp.*

8. An act for raiſing a tax by the poll, and on trade, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

9. An act directing in what manner the lands of abſentees, not paying quit-rents, and having no aſſets in this iſland whereon to diſtrain, ſhall be forfeited and re-granted; and for the further ſecuring his majeſty's quit-rents.

10. An act to oblige the ſeveral collecting conſtables of the reſpective pariſhes of this iſland, in a ſummary manner, to pay over the parochial taxes into the hands of the reſpective churchwardens. *Exp.*

11. An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations. *Exp.*

12. An act for the more effectual preventing negroes and other ſlaves from deſerting from their owners, and departing from this iſland in a clandeſtine manner; and to puniſh ſuch perſons as ſhall be aiding, aſſiſting, or abetting, ſuch ſlaves in their eſcape. *Rep.*

13. An act for the further regulation of the provoſt-marſhal's proceedings in the ſale of negro and other ſlaves, taken by virtue of writs of *venditioni exponas*.

14. An act to inflict further puniſhment on perſons receiving ſtolen goods, knowing them to be ſtolen. *Exp.*

15. An act for appointing commiſſioners for ordering and inſpecting the works in and about the forts, fortifications, and barracks of this iſland. *Rep.*

16. An

16. An act for authorizing, requiring, and compelling, the juſtices and veſtry of the pariſhes of St. James, St. Mary, and St. George, in this iſland, forthwith to iſſue a roll of deficiency tax, and a roll of poll-tax. *Exp.*

17. An act for making ſix ſeveral new plat-books, for the pariſhes of St. Thomas in the Eaſt, St. David, St. Dorothy, Vere, St. James, and St. Ann, which have been lately tranſcribed by the clerk of the patents, legal evidence in all courts; and for the better preſerving the public records in the offices of regiſter of the court of chancery and clerk of the patents in this iſland.

18. An act to reſtrain the inhabitants of the pariſh of Weſtmorland, in the county of Cornwall, in this iſland, from working any carriages of burthen, but with broad wheels, on the roads in the ſaid pariſh. *Exp.*

19. An act for the further regulating of the ſervice and execution of proceſs, and the returns thereof, and other purpoſes relating to the ſervice of jurors, and rendering the ſame a more equal duty. *Exp.*

20. An act for the ſale of flour by weight. *Exp.*

21. An act for the ſale of butter, ſoap, candles, tallow, rice, and biſcuit, by weight, and not by invoice. *Exp.*

PRIVATE ACTS.

Anno 9 *Georgii* III.

An act to authorize and enable William Patrick Browne, of the pariſh of St. John, in the county of Middleſex, in this iſland, eſquire, to ſettle and diſpoſe of his eſtate, both real and perſonal, in this iſland, by deed or will, in ſuch manner as he ſhall think proper, notwithſtanding an act of the governor, council, and aſſembly of this iſland, entitled, "An act to prevent the inconveniencies ariſing from exorbitant grants and deviſes made by white perſons to negroes, and the iſſue of negroes; and to reſtrain and limit ſuch grants and deviſes."

An act for enabling William Gilchriſt, mill-wright, to carry into execution his new-invented mill for grinding of ſugar-canes.

PUBLIC ACTS.

Anno 10 *Georgii* III.—1769.

1. AN ACT for ſetting mutual debts one againſt the other.

2. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient; and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

3. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes. *Exp.*

4. An act to repeal two ſeveral acts of this iſland, one entitled, "An act for appointing commiſſioners for ordering and inſpecting the works in and about the forts, fortifications, and barracks of this iſland;" the other entitled, "An act to add commiſſioners to thoſe already appointed for carrying on the works in and about the forts, fortifications, and barracks of this iſland, and to thoſe already appointed for building, finiſhing, and repairing, the public edifice in St. Jago de la Vega;" and

for

for appointing commiſſioners for forts, fortifications, and public buildings. *Exp.*

5. An act to explain and amend part of an act entitled, "An act to encourage colonel Cudjoe and captain Quao, and the ſeveral negroes under their command in Trelawny and Crawford Towns, and all other towns of rebellious negroes who ſubmitted to terms, to purſue and take up runaway ſlaves, and ſuch negroes as continue in rebellion; and for remedying ſome inconveniencies in the laws already made for that purpoſe."

6. An act for regulating the fees of the maſters of the high court of chancery of this iſland. *Exp.*

7. An act for eſtabliſhing the fees of the clerk of the ſupreme court of judicature of this iſland, and eſtabliſhing the fees of the chief juſtice and attornies on all judicial writs. *Exp.*

8. An act to encourage perſons to keep veſſels for tranſporting goods about this iſland, and to prevent abuſes being committed by the maſters or commanders of ſuch veſſels; and to regulate wharfingers and others ſhipping ſuch goods. *Exp.*

9. An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations. *Exp.*

10. An act for keeping in repair the harbour of Kingſton, and for regulating the mooring of ſhips in the ſaid harbour; and for reſtraining all maſters or commanders of veſſels, for the future, from heaving overboard ballaſt in any of the harbours or ſhipping-places in this iſland. *Exp.*

11. An act to empower the juſtices and veſtry in the town of Kingſton to build a market-houſe, and to appoint a place for the ſale of freſh fiſh; and for preventing nuiſances in the ſtreets of the ſaid town; and for other purpoſes therein mentioned.

12. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*

13. An act for explaining and amending the ſeveral highway laws now in force, and rendering the ſaid laws more effectual. *Exp.*

14. An act to revive an act entitled, "An act for explaining, amending, and rendering more effectual, an act entitled, 'An act for ſettling the militia.'" *Exp.*

15. An act for applying the ſurpluſage of the money already ariſen, or that ſhall ariſe, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," to certain uſes. *Exp.*

16. An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes; and for authorizing, requiring, and compelling, the juſtices and veſtry of the pariſh of St. James to iſſue a roll of poll-tax; and other purpoſes therein mentioned. *Exp.*

17. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

PRIVATE ACTS.

Anno 10 *Georgii* III.

An act to intitle Ann Shermore, widow and relict of Nicholas Shermore, a white man, and Jane Brooks, Mary Brooks, Priſcilla Brooks, Martha Brooks, and Ruth Brooks, reputed daughters of George Brooks, of the pariſh of St. Elizabeth, in the iſland aforeſaid, eſquire, by Mary Powell, a free mulatto woman; and James Brooks, Richard Brooks, Joſeph Brooks, and Edward Brooks, the reputed ſons of the ſaid George Brooks by the ſaid Mary Powell, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act for veſting in truſtees ſeveral meſſuages and tracts of land, part of the eſtate of Ballard Beckford, eſquire, deceaſed, in truſt, to ſell and diſpoſe of the ſame for the payment of the debts of the ſaid Ballard Beckford, and other purpoſes therein mentioned.

PUBLIC ACTS.

Anno 11 *Georgii* III.—1770.

1. AN ACT for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes. *Exp.*
2. An act for applying the ſurpluſage of the money that ſhall ariſe by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," to certain uſes. *Exp.*
3. An act for remedying the inconveniencies which may ariſe from the number of negro huts and houſes, built in and about the towns of St. Jago de la Vega, Port-Royal, and Kingſton.
4. An act for appointing Stephen Fuller, eſquire, an agent in Great-Britain, to ſolicit the paſſing of laws, and for tranſacting in Great-Britain other public affairs of this iſland; and for empowering certain members of the council and aſſembly, during the intervals of aſſembly, from time to time, as occaſion ſhall be, to give inſtructions for ſuch his management. *Exp.*
5. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*
6. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*
7. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's thirty-ſixth and ſixty-ſixth regiments of foot. *Exp.*
8. An act againſt the forging and counterfeiting of foreign coins, made current in this iſland, and ſuch foreign coins as

are

are now, or ſhall hereafter be, taken and received by general conſent in payment in this iſland; and againſt clipping, diminiſhing, and impairing, of the ſame; and for preventing the bringing-in of counterfeit or forged coins of foreign realms, made current, or now or hereafter taken, or to be taken and received, in payment, by general conſent in this iſland; and alſo for preventing the uttering or paſſing of ſuch falſe and counterfeit coin. *Exp.*

9. An act for the better regulating, training, and diſciplining, the militia; and for enforcing and rendering more effectual, an act entitled, "An act for ſettling the militia." *Exp.*

10. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

11. An act for further regulating the importation of Madeira wine and other wines into this iſland.

12. An act for the ſale of butter, ſoap, candles, tallow, rice, flour, and biſcuit, by weight, and not by invoice.

13. An act for adding commiſſioners to thoſe already appointed in and by an act entitled, "An act for amending and keeping in repair a road leading from Pepper-Plantation, over MayDay-Hills, in the pariſh of St. Elizabeth, to St. Jago Plantations, in the pariſh of Clarendon; and for veſting in truſtees the toll raiſed by a turnpike on the ſaid MayDay-Hills, for the purpoſes aforeſaid." *Exp.*

14. An act for empowering the juſtices and veſtry of the pariſh of St. Catherine to purchaſe a lot or lots of land, for erecting a market-houſe or market-houſes in the town of St. Jago de la Vega, for the ſale of freſh meat and freſh fiſh; and for laying a tax on the inhabitants of ſaid pariſh, for keeping a nightly watch in the ſaid town; and for repealing part of a clauſe of an act of the lieutenant-governor, council, and aſſembly, entitled, "An act to veſt certain parcels of land, ſituate, lying, and being, in the pariſh of St. Catherine, in the juſtices, veſtrymen, and churchwarden or churchwardens, of the ſaid pariſh, and the juſtices, veſtrymen, and churchwarden or churchwardens, of the ſaid pariſh for the time being, for the uſe of the inhabitants of the ſaid pariſh; and to enable the preſent juſtices, veſtrymen, and churchwarden or churchwardens, of the ſaid pariſh, or the juſtices, veſtrymen, and churchwarden or churchwardens for the time being, to maintain or defend any ſuit or ſuits at law or in equity for recovery of the ſame, or any part or parcel thereof, and to make leaſes of part of the ſaid lands, for the uſe of the ſaid pariſh;" and other purpoſes therein mentioned.

15. An act for ſettling the proceedings and fees of the coroners of this iſland.

16. An act to carry into execution the eighth *(now the fifth)* clauſe of an act entitled, "An act for the encouragement of good and able miniſters to come to this iſland;" and to prevent any miniſter, being the incumbent of any pariſh in this iſland, to officiate as miniſter or curate of any other pariſh.

17. An act for dividing the pariſh of St. James into two diſtinct pariſhes, for the eaſe of the inhabitants. *Diſal.*

18. An act declaring the barracks at Oracabeſſa and Jack's Bay, in the pariſh of St. Mary, public barracks; and to enable the juſtices and veſtry of the ſaid pariſh to lay a tax for the keeping them in good and ſufficient repair; and to enable the juſtices and veſtry of the pariſh of St. Dorothy to lay a tax for the purpoſes herein mentioned.

19. An

19. An act to repeal part of an act entitled, " An act to reſtrain the inhabitants of the pariſh of Weſtmorland from working any carriages of burthen, but with broad wheels, on the roads in the ſaid pariſh. *Obſ.*

20. An act to oblige judgment creditors to enter up ſatisfaction, in a certain limited time, after payment of their reſpective demands.

21. An act for regulating the proceedings of ſurveyors of land, and for the better regulating and eſtabliſhing their fees. *Exp.*

22. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

23. An act to oblige the juſtices and veſtry of the ſeveral pariſhes of this iſland to make and erect pounds, for the better ſecuring of all ſtrays of horſes, mares, mules, aſſes, and horned cattle, belonging to the inhabitants of this iſland. *Exp.*

PRIVATE ACTS.

Anno 11 *Georgii* III.

An act to enable Daniel Moore, eſquire, to take up a ſufficient quantity of water, for turning mills for grinding ſugar-canes, out of or from Aqua-Alta river, commonly called Wagwater river, in the pariſh of St. Andrew, and to convey the ſame to the works on his plantation, in the ſaid pariſh, called Conſtant-Spring.

An act to ſecure to the honourable Francis Cooke, eſquire, the benefit and advantage of his new-invented mill for grinding of ſugar-canes, and of his new-invented friction-wheels.

An act to enable Robert Rainey, otherwiſe called John Stewart, to carry into execution his new-invented mill for grinding ſugar-canes, with the power of a fire-engine.

An act for veſting ſeveral pieces and parcels of land, ſituate, lying, and being, in the pariſh of Weſtmorland, in the ſaid iſland, being part of the eſtate of George Ricketts, late of the ſame place, eſquire, deceaſed, in certain truſtees, to ſell and diſpoſe of the ſame; and for applying the monies ariſing from ſuch ſales to and for the uſe and benefit of his ſon William Henry Ricketts, for and during the term of his natural life, and to and for ſuch other uſes, agreeable to the will of the ſaid George Ricketts.

PUBLIC ACTS.

Anno 12 *Georgii* III.—1771.

1. AN ACT for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes. *Exp.*

2. An act for applying the ſurpluſage of the money that ſhall ariſe by virtue of an act entitled, " An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," to certain uſes. *Exp.*

3. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*

4. An act appointing commiſſioners to ſettle the public accounts, and look into the ſtate of, and count the caſh in, the treaſury; and to oblige the receiver-general

general to keep one general account of caſh. *Exp.*
5. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*
6. An act to oblige the ſeveral collecting conſtables of the reſpective pariſhes of this iſland, in a ſummary manner, to pay over the parochial taxes into the hands of the reſpective churchwardens. *Exp.*
7. An act to encourage the breed of good and large horſes. *Rep.*
8. An act to inflict further puniſhment on perſons receiving ſtolen goods, knowing them to be ſtolen. *Exp.*
9. An act for the prevention of indebted perſons from departing this iſland in the time of martial law; and to empower the judges and juſtices to exerciſe their ſeveral offices in certain caſes; and to empower the juſtices and veſtry, and churchwardens, and ſurveyors of highways, to diſcharge their ſeveral duties; and to enable landlords to diſtrain for rent, notwithſtanding martial law. *Exp.*
10. An act for the better regulating, training, and diſciplining, the militia; and for enforcing and rendering more effectual an act entitled, "An act for ſettling the militia." *Exp.*
11. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's thirty-ſixth and ſixty-ſixth regiments of foot. *Exp.*
12. An act to add and enable the truſtees to purchaſe a piece or parcel of land, for the benefit of the inhabitants of the pariſh of St. Dorothy; and other purpoſes.
13. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*
14. An act for the better order and government of the negroes belonging to the ſeveral negro-towns, and for preventing them from purchaſing of ſlaves; and for encouraging the ſaid negroes to go in purſuit of runaway ſlaves; and for other purpoſes therein mentioned. *Exp.*
15. An act to repeal an act entitled, "An act for the more effectual preventing negroes and other ſlaves from deſerting from their owners, and departing from this iſland in a clandeſtine manner; and to puniſh ſuch perſons as ſhall be aiding, aſſiſting, or abetting, ſuch ſlaves in their eſcape;" and for the more effectual preventing negroes and other ſlaves from deſerting from their owners, and departing from this iſland in a clandeſtine manner; and to puniſh ſuch perſons as ſhall be aiding, aſſiſting, or abetting ſuch ſlaves in their eſcape. *Rep.*
16. An act to reſtrain the inhabitants of the pariſh of St. Thomas in the Eaſt from working any carriages of burthen, but with broad wheels, on certain roads in the ſaid pariſh. *Exp.*
17. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

PRIVATE ACTS.

Anno 12 *Georgii* III.

An act to enable George Cummins, gentleman, and his deſcendants, to take and uſe the ſirname of Corrin, purſuant

ſtant to the will of Henry Corrin, deceaſed.

An act to enable Dugald Clarke to carry into execution his new-invented machines.

An act to intitle Dugald Clarke to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

PUBLIC ACTS.

Anno 13 *Georgii* III.—1772.

1. AN ACT for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes. *Exp.*
2. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*
3. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*
4. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting the officers and ſoldiers of his majeſty's regiments quartered in this iſland. *Exp.*
5. An act for applying the ſurpluſage of the money that ſhall ariſe by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," to certain uſes. *Exp.*
6. An act for laying a duty on tonnage, and applying the ſame to the uſe of forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations. *Exp.*
7. An act for granting an additional ſalary to his honour John Dalling, eſquire, lieutenant-governor and commander in chief, during his adminiſtration. *Exp.*
8. An act to explain, amend, and render more effectual, an act entitled, "An act to augment the ſalary of his excellency George Haldane, eſquire; and for providing certain lands and premiſes to be annexed to the government, for the uſe of the governor for the time being." *Exp.*
9. An act for reviving and continuing an act entitled, "An act for the better regulating, training, and diſciplining, the militia; and for enforcing and rendering more effectual an act entitled, 'An act for ſettling the militia;'" *Exp.*
10. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*
11. An act to oblige the ſeveral collecting conſtables of the reſpective pariſhes of this iſland, in a ſummary manner,

to

to pay over the public taxes into the hands of the receiver-general, or the receiver-general for the time being.

12. An act to explain and amend an act entitled, "An act for preventing the frauds, and regulating the abuſes, in trade."

13. An act for repealing part of an act, paſſed in the year of our Lord one thouſand ſeven hundred and thirty-two, entitled, "An act for keeping a nightly watch in the town of Kingſton, and for the prevention of damages that may ariſe by fire;" and for laying a tax on the tranſient traders of the ſaid town. *Exp.*

14. An act for regulating the fees of the maſters of the high court of chancery of this iſland. *Exp.*

15. An act to repeal part of a clauſe in an act entitled, "An act to repeal part of an act entitled, 'An act for rendering the ſeveral donations, which have been given and bequeathed to the uſe of the poor of the pariſh of Vere, in the ſaid iſland, more uſeful; and for erecting and endowing a free-ſchool in the ſaid pariſh;' and for the better and more effectual carrying the ſaid act into execution;" and for altering the day for electing five of the freeholders of the ſaid pariſh of Vere, ſuch as the freeholders of the ſaid pariſh, or the major part of them who ſhall be preſent, ſhall nominate and appoint; and to appoint a day in each year for the chooſing of ſuch five freeholders; and for the qualification of ſuch freeholders who ſhall vote at ſuch election.

16. An act for extending the credit of this iſland, and to encourage foreigners to lend money to the inhabitants thereof, under certain regulations.

17. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

18. An act to repeal two ſeveral acts of this iſland, one entitled, "An act for appointing commiſſioners for ordering and inſpecting the works in and about the forts, fortifications, and barracks of this iſland;" the other entitled, "An act to add commiſſioners to thoſe already appointed for carrying on the works in and about the forts, fortifications, and barracks of this iſland, and to thoſe already appointed for building, finiſhing, and repairing, the public edifice in St. Jago de la Vega;" and for appointing commiſſioners for forts, fortifications, and public buildings. *Exp.*

19. An act for the more effectual preventing of exceſſive and deceitful gaming, by way of lottery, or by lots, tickets, numbers, or figures, cards, raffle, or dice.

20. An act for explaining and amending the ſeveral highway laws now in force, and rendering the ſaid laws more effectual. *Exp.*

21. An act for making free and rewarding a mulatto man ſlave named Will, belonging to the eſtate of William Jones, deceaſed, and paying to the honourable Archibald Sinclair and Richard Welch, eſquires, the repreſentatives of the ſaid William Jones, the value of the ſaid mulatto man.

PRIVATE ACT.

Anno 13 *Georgii* III.

An act for enabling George Latham to carry into execution his new-invented machine for pulping and cleanſing of coffee.

PUBLIC ACTS.

Anno 14 *Georgii* III.—1773.

1. AN ACT for appointing Stephen Fuller, eſquire, agent in Great-Britain, to ſolicit the paſſing of laws, and for tranſacting

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ing in Great-Britain other public affairs of this iſland; and for empowering certain members of the council and aſſembly, during the intervals of aſſembly, from time to time, as occaſion ſhall be, to give inſtructions for ſuch his management. *Exp.*

2. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*

3. An act for the further regulation of ſolicitors and attornies at law, practiſing in the ſeveral courts in this iſland.

4. An act for the further regulation of the ſervice and execution of proceſs, and the returns thereof, and other purpoſes relating to the ſervice of jurors, and rendering the ſame a more equal duty. *Exp.*

5. An act for explaining an act entitled, "An act for the further quieting poſſeſſions, and regulating re-ſurveys;" and for eſtabliſhing reputed boundaries.

6. An act to enable the juſtices and veſtrymen of the ſeveral pariſhes in this iſland, remote from the county-gaols, to raiſe money by a parochial tax, to be applied in building or purchaſing a gaol or gaols, for the confinement of offenders, within their reſpective diſtricts.

7. An act for the relief and better regulation of the poor; and to oblige maſters of ſhips and other veſſels to indemnify the ſeveral pariſhes of this iſland againſt any charges and expences for ſupporting and curing their ſick, maimed, infirm, or diſabled ſeamen. *Exp.*

8. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

9. An act to prevent the ſmuggling foreign produce into this iſland. *Exp.*

10. An act for raiſing a tax on the pariſh of Hanover, for erecting and eſtabliſhing a free-ſchool in the ſaid pariſh. *Rep.*

11. An act for providing certain lands and premiſes, to be annexed to the government, for the uſe of the commander in chief of his majeſty's ſhips of war on this ſtation.

12. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's fiftieth and ſixtieth regiments of foot, quartered in this iſland. *Exp.*

13. An act to enable the juſtices and veſtry of the ſeveral pariſhes in this iſland, where there are no churches, parſonage-houſes, public burial-grounds, or bridges, to lay a tax in their reſpective pariſhes, for purchaſing lands ſufficient for erecting a church, a parſonage-houſe, for a burial-ground, and for building bridges, in ſuch pariſhes.

14. An act to oblige the ſeveral inhabitants of this iſland to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

15. An act to repeal an act entitled, "An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and alſo one other act entitled, "An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, 'An act for the better order and government of ſlaves;' and the other entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors;

poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and alſo one other act, entitled, "An act to repeal part of an act, entitled, 'An act for the better order and government of ſlaves;' and alſo of one other act, entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;' and alſo part of one other act, entitled, 'An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, 'An act for the better order and government of ſlaves,' and the other entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and alſo part of an act entitled, "An act for the better order and government of ſlaves;" and to prevent the hiding, concealing, inveigling, detaining, knowingly harbouring, or employing, the ſlaves of others; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves. *Exp.*

16. An act to prevent the fraudulent paſſing or paying away bonds, promiſſory notes, or bills of exchange, or aſſigning judgments obtained on them, or any other judgments at law, without giving due credit for all monies paid on account of ſuch bonds, notes, bills of exchange, or judgments; and to oblige all aſſignees of judgments to record them in the office of the clerk of the ſupreme court. *Rep.*

17. An act to regulate the iſſuing of writs of *certiorari* out of the ſupreme court of judicature, for the removal of proceedings before juſtices of the peace, under certain reſtrictions and regulations.

18. An act againſt the forging and counterfeiting of foreign coins made current in this iſland, and ſuch foreign coins as are now, or ſhall hereafter be, taken and received, by general conſent, in payment in this iſland; and againſt clipping, diminiſhing, and impairing, of the ſame; and for preventing the bringing-in of counterfeit or forged coins of foreign realms, made current, or now or hereafter taken or to be taken and received in payment by general conſent, in this iſland; and for preventing the uttering or paſſing of ſuch falſe and counterfeit coin; and alſo for aſcertaining the weight and value of coins herein mentioned.

19. An act to prevent negro and other runaway ſlaves from being harboured and entertained, by eſtabliſhing a conſtant patrolling party in each pariſh throughout this iſland; and to prevent ſlaves from being carried from this iſland by maſters of ſhips and other veſſels. *Rep.*

20. An act for reviving and continuing an act entitled, "An act for the better regulating, training, and diſciplining, the militia; and for enforcing and rendering more effectual an act entitled, 'An act for ſettling the militia.'" *Exp.*

21. An act to prevent improper levies being made on the negro or other ſlaves of minors; and to regulate the ſales of ſlaves taken on writs againſt perſons who have only an eſtate for a term of years, or for their own lives, or for the

lives of any other perſons, in negro or other ſlaves. *Exp.*

22. An act to reverſe part of the ſentence againſt Richard *(alias* Dick) Wade, a priſoner in the gaol of Kingſton, in the county of Surrey. *Obſ.*

23. An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors; and on the public offices; and applying the ſame to ſeveral uſes. *Exp.*

24. An act for calling in the Spaniſh unmilled gold coins now paſſing current in this iſland; and for ſinking and dividing, in the moſt eaſy and equitable manner, by a lottery, the loſs that will be ſuſtained in iſſuing the Spaniſh unmilled gold coins, ſo called in. *Obſ.*

25. An act to eſtabliſh and confirm the boundary line between the pariſhes of St. Andrew and Port-Royal.

26. An act for granting an additional ſalary to his excellency ſir Baſil Keith, knight, governor and commander in chief of this iſland, during his adminiſtration. *Exp.*

27. An act further to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, and white children, in this preſent year of our Lord one thouſand ſeven hundred and ſeventy-four. *Exp.*

28. An act to repeal an act, paſſed in the laſt ſeſſion of aſſembly, entitled, "An act to prevent the fraudulent paſſing or paying away bonds, promiſſory notes, or bills of exchange, or aſſigning judgments obtained on them, or any other judgments at law, without giving due credit for all monies paid on account of ſuch bonds, notes, bills of exchange, or judgments; and to oblige all aſſignees of judgments to record them in the office of the clerk of the ſupreme court;" and more effectually to prevent frauds in paſſing, paying away, or aſſigning, judgments, bonds, promiſſory notes, and bills of exchange; and to regulate the iſſuing writs on judgments at law; and for entering ſatisfactions; and to regulate the offices of the clerk of the ſupreme court and provoſt-marſhal, in reſpect to the entering ſatisfactions on judgments paid.

29. An act for the relief and better regulation of the ſick, maimed, infirm, and diſabled tranſient poor; and for laying a tax, for their ſupport and maintenance, on all maſters of ſhips and other veſſels trading to this iſland. *Exp.*

30. An act for laying an additional duty on all negroes imported into this iſland. *Exp.*

31. An act for dividing the pariſh of St. James into two diſtinct pariſhes, for the eaſe of the inhabitants.

PRIVATE ACTS.

Anno 14 *Georgii* III.

An act to intitle Ann Tingley, of the pariſh of Kingſton, in the ſaid iſland, a free mulatto woman, Suſanna Scott, the reputed daughter of William Scott, by the ſaid Ann Tingley; Florence Blechynden, Mary Bache Blechynden, Edward Blechynden, and Richard James Blechynden, the reputed ſons and daughters of Fulton Blechynden, of the pariſh of Kingſton, gentleman, by the ſaid Ann Tingley, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to enable William Jackſon, eſquire, the guardian of the perſon and eſtate of

of Joanna Harper, an infant, the only daughter and heireſs at law of Thomas Harper, late of the pariſh of Port-Royal, merchant, deceaſed, to ſell and diſpoſe of a certain piece or parcel of land, ſituate at Moſquito-Point, in the pariſh of St. Catherine, part of the eſtate of the ſaid Thomas Harper, deceaſed.

An act to add truſtees to thoſe already appointed in and by an act entitled, "An act for veſting ſeveral tracts and parcels of uncultivated lands, in the pariſhes of St. Elizabeth and Weſtmorland, in the ſaid iſland, belonging to the ſaid pariſh of St. Elizabeth, in Barnart Andreas Woodſtock, John Morſe, Waſtel Briſcoe, George Raxtead, Francis Smith, and Joſeph Armſtrong, eſquires, and their heirs, for enabling the ſaid Barnart Andreas Woodſtock, John Morſe, Waſtel Briſcoe, George Raxtead, Francis Smith, and Joſeph Armſtrong, and their heirs, to ſell and diſpoſe of the ſame, for the uſe and benefit of the ſaid pariſh of St. Elizabeth, and for the improvement of the lands belonging to the parſonage there, and for payment of the quit-rents due to his majeſty from the ſaid lands."

PUBLIC ACTS.

Anno 15 *Georgii* III.—1774.

1. AN ACT for applying the ſurpluſage of the monies that have ariſen, or ſhall ariſe, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," to certain uſes; and for appointing commiſſioners for carrying this act into execution. *Exp.*
2. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*
3. An act for reviving and continuing an act entitled, "An act for the better regulating, training, and diſciplining, the militia; and for enforcing and rendering more effectual an act entitled, 'An act for ſettling the militia.'" *Exp.*
4. An act appointing commiſſioners to ſettle the public accounts, and look into the ſtate of, and count the caſh in, the treaſury; and to oblige the receiver-general to keep one general account of caſh.
5. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*
6. An act to limit the duration of the ſeveral courts of juſtice in this iſland; and to enable one judge of the ſupreme court of judicature, and one juſtice of the courts of aſſize of the counties of Surrey and Cornwall, to open and adjourn the ſaid courts reſpectively.
7. An act to oblige the ſeveral public officers of this iſland to enter into good and ſufficient ſecurity to the crown, for the faithful diſcharge of their reſpective offices, before they are allowed to execute ſuch offices.
8. An act to enable the freeholders of the ſeveral pariſhes of this iſland, in caſe of the death or going off the iſland of any veſtryman or churchwarden during the year they are choſe, to elect another veſtryman or churchwarden in the room of ſuch veſtrymen or churchwardens ſo dying or going off; and to alter the day of chooſing veſtrymen and churchwardens in the pariſh of Weſtmorland; and for other purpoſes therein mentioned.
9. An act to oblige the ſeveral collecting conſtables of the reſpective pariſhes of this iſland, in a ſummary manner, to pay over the parochial taxes into the hands of the reſpective churchwardens.
10. An act to inflict further puniſhment

on perſons receiving ſtolen goods, knowing them to be ſtolen.

11. An act for making free and rewarding a negro woman ſlave named Attea, the property of the heirs of George Williams, eſquire, deceaſed, and for paying her value.

12. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's fiftieth and ſixtieth regiments of foot, quartered in this iſland. *Diſal.*

13. An act to reſtrain the inhabitants of the pariſh of Weſtmorland, in the county of Cornwall, in this iſland, from working any carriages of burthen, but with broad wheels, on the roads in the ſaid pariſh. *Rep.*

14. An act to repeal part of an act entitled, "An act to explain and enforce the laſt will and teſtament of John Wolmer, late of Kingſton, goldſmith, deceaſed; and rendering his donation to the ſaid town more uſeful; and for erecting and eſtabliſhing a free-ſchool in the ſaid town;" and alſo to amend the ſame act; and to add to the number of truſtees of Wolmer's free ſchool thereby erected; and to enable the ſaid truſtees to appoint a treaſurer.

15. An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes. *Exp.*

16. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

17. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

18. An act for regulating the manumiſſion of negro, mulatto, and other ſlaves; and to oblige the owners to make a proviſion for them during their lives.

19. An act to prevent the ſmuggling foreign produce into this iſland. *Exp.*

20. An act for licenſing hawkers and pedlars; and for applying the monies, to ariſe from granting ſuch licenſes, towards the ſupport and the maintenance of the poor of the pariſhes where ſuch licenſes are granted. *Exp.*

21. An act for regulating the proceedings in the courts of law, relating to bills of exchange.

22. An act to repeal an act entitled, "An act for building a bridge over the Rio Cobre; and for building a bridge over the Rio Cobre, in the pariſh of St. Catherine; and for other purpoſes therein mentioned.

23. An act to repeal an act entitled, "An act to prevent negro and other runaway ſlaves from being harboured and entertained, by eſtabliſhing a conſtant patrolling party in each pariſh throughout this iſland; and to prevent ſlaves from being carried from this iſland by maſters of ſhips and other veſſels;" and to prevent negro and other runaway ſlaves from being harboured and entertained, by eſtabliſhing a conſtant patrolling party in each pariſh throughout this iſland; and to prevent ſlaves from being carried

carried from this iſland by maſters of ſhips and other veſſels. *Rep.*

24. An act to regulate the working of wherries, boats, and canoes, in and about the harbours of Port-Royal and Kingſton; and to repeal two ſeveral acts reſpecting the regulating the working of wherries, boats, and canoes, the one entitled, "An act to encourage the importation of white men," the other entitled, "An act to encourage white men to come to continue and ſettle in this iſland."

25. An act to enable the juſtices and veſtrymen of the pariſh of St. James to raiſe a further ſum, not exceeding ſix thouſand pounds, upon the inhabitants of the ſaid pariſh, for the purchaſing land for a burial-ground, for erecting a church, a parſonage-houſe, for building bridges, and for erecting a court-houſe, in the ſaid pariſh.

PRIVATE ACTS.

Anno 15 *Georgii* III.

An act to intitle Mary Smith, Henrietta Cook Smith, William Smith, and Pierce Cook Smith, reputed daughters and ſons of William Smith, of the pariſh of St. Catherine, gentleman, by Catherine Smith, a free negro woman, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Frances Sadler, George Cunningham, Samuel Laing, Margaret Bright Sadler, and Ann Sadler, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to empower the guardian of John Munro, a minor, to ſell a parcel of land in the pariſh of St. James, to the juſtices, veſtrymen, and churchwardens of the ſaid pariſh, and applying the money ariſing from ſuch ſale to the uſe and benefit of the ſaid John Munro.

An act to intitle John Donaldſon to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Mary Stott, a free quadroon woman, and John Thomas Roſs, Francis John Roſs, John James Roſs, and Allan George Roſs, the reputed ſons of Thomas Roſs, of the pariſh of St. Catherine, merchant, by the ſaid Mary Stott, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Edmund Hyde, and Ann his wife, Dally Hyde, Sarah Hyde, and Thomas Nicholas Swigle, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to entitle Rebecca Soûza, and Rebecca Colt, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Frances Clarke, Shirley Clarke, Ann Clarke, Robert Paulet Clarke, Thomas Clarke, and William Clarke, the reputed children of Robert Clarke, of the pariſh of St. Catherine, gentleman, by Charlotte Powlet, a free mulatto woman, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

PUBLIC ACTS.

Anno 16 *Georgii* III.—1775.

1. AN ACT for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes. *Exp.*

2. An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors; and on the public offices; and applying the ſame to ſeveral uſes. *Exp.*

3. An act to oblige the ſeveral inhabitants

of

of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

4. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

5. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

6. An act for reviving and continuing an act entitled, "An act for the better regulating, training, and diſciplining, the militia; and for enforcing and rendering more effectual an act entitled, 'An act for ſettling the militia.'" *Exp.*

7. An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder, payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland, and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations. *Exp.*

8. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*

9. An act to give a recompenſe to perſons that ſhall be unjuſtly vexed by writs of replevin. *Exp.*

10. An act to enable his excellency ſir Baſil Keith, knight, captain-general, governor, and commander in chief of this iſland, and the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time. *Exp.*

11. An act to prevent the ſevering of eſtates and plantations, lands, ſlaves, tenements, and hereditaments, by way of dower, and to alter the preſent mode of aſſigning ſuch dower; and for other purpoſes therein mentioned. *Exp.*

12. An act to encourage the planting and growth of proviſions in the ſeveral pariſhes of this iſland; and to empower the juſtices and veſtrymen of the ſeveral pariſhes of this iſland to ſettle and regulate the price and aſſize of bread. *Exp.*

13. An act for regulating the fees of the maſters of the high court of chancery of this iſland. *Exp.*

14. An act to regulate the deviſes of negro, mulatto, and other ſlaves, in wills.

15. An act for the better regulation of executors and adminiſtrators, in the defence of actions or ſuits brought againſt them in right of their reſpective teſtators or inteſtates eſtates; and for other purpoſes.

16. An act to encourage the taking and curing of fiſh and turtle, and the making of oil, and procuring ſalt, and importing the ſame into this iſland. *Exp.*

17. An act to repeal two ſeveral acts of this iſland, one entitled, "An act for appointing commiſſioners for ordering and inſpecting the works in and about the forts, fortifications, and barracks of this iſland;" the other entitled, "An act to add commiſſioners to thoſe already appointed for carrying on the works

works in and about the forts, fortifications, and barracks of this iſland, and to thoſe already appointed for building, finiſhing, and repairing, the public edifice in St. Jago de la Vega;" and for appointing commiſſioners for forts, fortifications, and public buildings. *Exp.*

18. An act for the erecting, eſtabliſhing, maintaining, and keeping up, a ferry or ferry-boat, acroſs the Black River, at Graveſend, in the pariſh of St. Elizabeth.

19. An act to enable the juſtices and veſtrymen of the ſeveral pariſhes, remote from the county-gaols, to raiſe a further ſum of money by a parochial tax, to be applied in building or purchaſing a gaol or gaols, for the confinement of offenders, within their reſpective diſtricts.

20. An act for making certain perſons a body politic and corporate, for certain purpoſes therein mentioned.

21. An act for making certain commiſſioners, nominated and appointed in and by an act entitled, "An act to repeal an act entitled, 'An act for building a bridge over the Rio Cobre;' and for building a bridge over the Rio Cobre, in the pariſh of St. Catherine; and for other purpoſes therein mentioned," a body politic and corporate; and to enable them to raiſe a certain ſum of money upon the toll in the ſaid act mentioned; and for other purpoſes therein mentioned.

22. An act for keeping in repair the harbour of Kingſton, and for regulating the mooring of ſhips in the ſaid harbour; and for reſtraining all maſters or commanders of veſſels, for the future, from heaving over-board ballaſt in any of the harbours or ſhipping-places in this iſland. *Exp.*

PRIVATE ACTS.

Anno 16 *Georgii* III.

An act for enabling John Ruſſell to carry into execution his new-invented method of applying friction-wheels to mills for grinding ſugar-canes.

An act to authorize and enable George Brooks, of the pariſh of St. Elizabeth, in the county of Cornwall, in this iſland, eſquire, to ſettle and diſpoſe of his eſtate, both real and perſonal, in this iſland, by deed or will, in ſuch manner as he ſhall think proper, notwithſtanding an act of the governor, council, and aſſembly of this iſland, entitled, "An act to prevent the inconveniencies ariſing from exorbitant grants and deviſes made by white perſons to negroes, and the iſſue of negroes; and to reſtrain and limit ſuch grants and deviſes."

An act to intitle Eleanor Clifford, Mary Clifford, Frances Clifford, Martha Clifford, and John Clifford, the reputed children of John Clifford, of the pariſh of St. Catherine, merchant, and Sarah Pennington, the daughter of the ſaid Eleanor Clifford, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Charity Harry, a free mulatto woman, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Elizabeth Goldſon, and her ſeveral children, named Thomas Goldſon, Elizabeth Goldſon, William Goldſon, John Goldſon, Ann Goldſon, George Spragge, and Robert Spragge, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Frances Jones, William Jones, and John Jones, free muſtees, the

the reputed children of John Jones, eſquire, deceaſed, by Roſe, a free Indian woman, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle James Duany, a free mulatto man, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Mary Powell, a free mulatto woman, and John Brooks, the reputed ſon of George Brooks, eſquire, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

PUBLIC ACTS.

Anno 17 *Georgii* III.—1776.

1. AN ACT declaring that the proclaiming martial law hath not made, nor ſhall make at any time or times hereafter, a diſcontinuance of ſuits and proceſs at the common law; and to give effect to recogniſances, reſpited, taken, or returnable, at or to the ſupreme court of judicature of this iſland; and to prevent an undue priority being had or obtained of judgments of the laſt May grand court, and the laſt June and September Cornwall aſſizes, over judgments to be obtained at the aſſizes to be holden for the county of Surrey, on the laſt Tueſday in October, in the preſent year of our Lord one thouſand ſeven hundred and ſeventy-ſix.

2. An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors; and on the public offices; and applying the ſame to ſeveral uſes. *Exp.*

3. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

4. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

5. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes. *Exp.*

6. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*

7. An act to prevent improper levies being made on the negroes or other ſlaves of minors; and to regulate the ſales of ſlaves taken on writs againſt perſons who have only an eſtate for a term of years, or for their own lives, or for the lives of any other perſons, in negro or other ſlaves.

8. An act for eſtabliſhing and declaring rules and articles of war; and for other purpoſes therein mentioned. *Exp.*

9. An act to encourage perſons to keep veſſels for tranſporting goods about this iſland, and to prevent abuſes being committed by the maſters or commanders of ſuch veſſels; and to regulate wharfingers and others ſhipping ſuch goods. *Exp.*

10. An act for the better order and government of the negroes belonging to the ſeveral negro-towns, and for preventing them from purchaſing of ſlaves;

and

and for encouraging the ſaid negroes to go in purſuit of runaway ſlaves; and for other purpoſes therein mentioned. *Exp.*

11. An act to empower the veſtry of the pariſh of Kingſton to remove their preſent ruinous court-houſe, and to rent, purchaſe, or build, another, at the expence of the ſaid pariſh.

12. An act for appointing Stephen Fuller, eſquire, agent in Great-Britain, to ſolicit the paſſing of laws, and for tranſacting in Great-Britain other public affairs of this iſland; and for empowering certain members of the council and aſſembly, during the intervals of aſſembly, from time to time, as occaſion ſhall be, to give inſtructions for ſuch his management. *Exp.*

13. An act to enable the juſtices of aſſize, in the ſeveral counties in this iſland, to appoint auditors, and to give judgment in actions of account.

14. An act to authorize and empower the juſtices and veſtry of the ſeveral pariſhes of this iſland to make and erect pounds, for the better ſecuring of all ſtrays of horſes, mares, mules, aſſes, and horned cattle, belonging to the inhabitants of this iſland. *Exp.*

15. An act to enable his excellency ſir Baſil Keith, knight, captain-general, governor, and commander in chief of this iſland, and the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time. *Exp.*

16. An act to avoid unneceſſary delays of execution.

17. An act for encouraging the manufacturing of *agnus caſtor*, or nut-oil. *Exp.*

18. An act to repeal an act entitled, "An act to repeal a clauſe in an act entitled, 'An act for obliging the juſtices and veſtry of the pariſh of St. Mary to make good certain deficiencies to the public; and for altering the day of electing veſtrymen and churchwardens in the ſaid pariſh;' and to appoint a day in each year for the chooſing veſtrymen, and other parochial officers, in the ſaid pariſh;" and to appoint a certain day in each year for that purpoſe.

19. An act to enable the juſtices and veſtry of the pariſh of Kingſton to avail the inhabitants of the town of Kingſton of the grant of Hope Plantation water, made to the ſaid town by his late honour Roger Hope Elletſon, eſquire, deceaſed, late lieutenant-governor of this iſland; and to conduct the ſaid water to and through the ſaid town, and the places adjacent thereunto. *Diſal.*

20. An act for paying the non-commiſſioned officers and private men of the militia. *Exp.*

21. An act for amending the ſeveral highway laws. *Exp.*

22. An act empowering any one of the judges of the ſupreme court of judicature to take the examination of witneſſes leaving this iſland, in any action brought or to be brought for the recovery of debts actually in ſuit, in the ſame manner as if ſuch examination had been taken and returned under the ſeal of the city of London, purſuant to an act of parliament paſſed in the fifth year of the reign of George the ſecond. *Exp.*

23. An act for adding commiſſioners to thoſe already made a body corporate, in and by a certain act entitled, "An act for making certain commiſſioners, nominated and appointed in and by an act entitled, 'An act to repeal an act entitled,

entitled, " An act for building a bridge over the Rio Cobre;" and for building a bridge over the Rio Cobre, in the parish of St. Catherine; and for other purposes therein mentioned,' a body politic and corporate; and to enable them to raise a certain sum of money upon the toll in the said act mentioned; and for other purposes therein mentioned;" and to enable the said corporation to borrow a further sum of money, not exceeding five thousand pounds, for the purposes in the said act mentioned; and to enable the said corporation to purchase land, not exceeding one acre, and to build a toll-house thereon.

24. An act to amend an act entitled, " An act for the prevention of indebted persons from departing this island in the time of martial law; and to empower the judges and justices to exercise their several offices in certain cases; and to empower the justices and vestry, and churchwardens, and surveyors of highways, to discharge their several duties; and to enable landlords to distrain for rent, notwithstanding martial law. *Exp.*

25. An act to appoint inspectors for regulating the allowance given to prisoners confined in gaol, and for granting an additional allowance for the support of negroes confined in gaol, for a limited time. *Exp.*

26. An act to repeal part of an act entitled, " An explanatory act for the further encouraging the settling the parish of Portland;" and for the other purposes therein mentioned.

27. An act to explain an act entitled, " An act for establishing courts, and directing the marshal's proceedings;" and to give jurisdiction to the judges of the supreme court of judicature, on the equity side of the exchequer, in revenue matters, in the same manner that the barons of the exchequer have in England.

28. An act to explain and amend an act entitled, " An act for recovering and extending the trade with the Indian settlements in America, and preventing for the future some evil practices formerly committed in that trade."

29. An act to repeal an act entitled, " An act to repeal an act entitled, ' An act to prevent negro and other runaway slaves from being harboured and entertained, by establishing a constant patrolling party in each parish throughout this island; and to prevent slaves from being carried from this island by masters of ships and other vessels;' and to prevent negro and other runaway slaves from being harboured and entertained, by establishing a constant patrolling party in each parish throughout this island; and to prevent slaves from being carried from this island by masters of ships and other vessels."

30. An act to regulate the trials of controverted elections or returns of members to serve in assembly. *Exp.*

31. An act for establishing a public hospital.

32. An act for empowering the justices and vestry of the parish of St. James to erect and build a market house or houses, for the selling of fresh meat and fresh fish, and for that purpose to purchase one or more lot or lots of land in the said parish; and for keeping in repair the harbour of Montego-Bay, and for regulating the mooring of ships in the said harbour; and for other purposes therein mentioned. *Exp.*

PRIVATE ACTS.

Anno 17 *Georgii* III.

An act to authorize and enable Robert Cooper

Cooper Lee, late of the iſland of Jamaica, but now of the kingdom of Great-Britain, eſquire, to ſettle and diſpoſe of his eſtate, both real and perſonal, in this iſland, by deed or will, in ſuch manner as he ſhall think proper, notwithſtanding an act of the governor, council, and aſſembly, of this iſland, entitled, "An act to prevent the inconveniencies ariſing from exorbitant grants and deviſes made by white perſons to negroes, and the iſſue of negroes, and to reſtrain and limit ſuch grants and deviſes."

An act to intitle Elizabeth Hutchinſon, a free mulatto woman, and Robert Duff Lytteljohn and John Lytteljohn, the reputed children of Alexander Lytteljohn, merchant, by the ſaid Elizabeth Hutchinſon, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Elizabeth Duncan, of the pariſh of St. Elizabeth, in the county of Cornwall, and iſland of Jamaica, a free mulatto woman, and Elizabeth Hook, Mary Hook, Margaret Hook, Henry Hook, William Hook, Thomas Hook, and John Hook, the reputed children of Duncan Hook, merchant, by the ſaid Elizabeth Duncan, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Eleanor Barnes, a free mulatto woman, and Nathaniel King, and Ann Hylet, the wife of Robert Hylet, copperſmith, the reputed children of John King, eſquire, by the ſaid Eleanor Barnes, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Sarah Walters Bolt, a free quadroon woman, and Edward Strudwick and Theodoſia Strudwick, the reputed children of Henry Strudwick, eſquire, deceaſed, by the ſaid Sarah Walters Bolt; and Samuel Richard Lewis, John Lewis, Suſannah Lewis, Elizabeth Lewis, and Louiſa Ann Lewis, the reputed children of James Lewis, eſquire, by the ſaid Sarah Walters Bolt, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Jane Sympſon, a free quadroon woman, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act for enabling Peter M'Intoſh to carry into execution his new-invented machine for grinding ſugar-canes.

PUBLIC ACTS.

Anno 18 *Georgii* III.—1777.

1. AN ACT for granting an additional ſalary to his honour John Dalling, eſquire, lieutenant-governor and commander in chief, during his adminiſtration. *Exp.*

2. An act to explain, amend, and render more effectual, an act entitled, "An act to augment the ſalary of his excellency George Haldane, eſquire; and for providing certain lands and premiſes to be annexed to the government, for the uſe of the governor for the time being." *Exp.*

3. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*

4. An act for amending and keeping in repair a road leading from Pepper Plantation, over May-day Hill, in the pariſh of St. Elizabeth, to St. Jago Plantations, in the pariſh of Clarendon; and for veſting in truſtees the toll raiſed by a turnpike on the ſaid May-day Hill, for the purpoſes aforeſaid. *Exp.*

5. An act for licenſing hawkers and pedlars;

lars; and for applying the monies, to ariſe from granting ſuch licenſes, towards the ſupport and maintenance of the poor of the pariſhes where ſuch licenſes are granted. *Exp.*

6. An act for the further relief of inſolvent debtors, impriſoned for debt. *Exp.*

7. An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes. *Exp.*

8. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

9. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and applying the ſame to ſeveral uſes. *Exp.*

10. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes. *Exp.*

11. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

12. An act to enable his honour John Dalling, eſquire, lieutenant-governor and commander in chief of this iſland, and the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time. *Exp.*

13. An act to prevent the ſmuggling foreign produce into this iſland. *Exp.*

14. An act for laying a tax on all ſhips and other veſſels, trading to this iſland, for and towards the ſupport and maintenance of the tranſient poor.

15. An act for reviving and continuing two ſeveral acts of this iſland, the one entitled, "An act for the better regulating, training, and diſciplining, the militia; and for enforcing and rendering more effectual an act entitled, 'An act for ſettling the militia,'" and the other entitled, "An act for paying the non-commiſſioned officers and private men of the militia." *Exp.*

16. An act for regulating the proceedings of ſurveyors of land, and for the better regulating and eſtabliſhing their fees. *Exp.*

17. An act to empower the juſtices and veſtry of the ſeveral pariſhes in this iſland to hire good and ſufficient men to ſerve as conſtables; and to repeal an act entitled, "An act for the more eaſy ſerving of conſtables."

18. An act to repeal "An act for raiſing a tax on the pariſh of Hanover, for erecting and eſtabliſhing a free-ſchool in the ſaid pariſh;" and to render the donation given to the ſaid pariſh, in and by the laſt will and teſtament of Martin Ruſea, deceaſed, more uſeful; and for erecting and eſtabliſhing a free-ſchool in the ſaid pariſh; and to empower the juſtices and veſtry of the ſaid pariſh to apply money, out of the pariſh-tax, to and for the better ſupport of the ſaid free-ſchool.

19. An act for explaining and amending the ſeveral highway laws now in force, and rendering the ſaid laws more effectual. *Exp.*

20. An act to prevent maſters of ſhips, and other veſſels, from clandeſtinely carrying

carrying off this iſland negro or other ſlaves. *Exp.*

21. An act for eſtabliſhing a public work-houſe in the town of Kingſton, and for other purpoſes therein mentioned. *Exp.*

22. An act to repeal part of an act entitled, "An act to empower and oblige the inhabitants of the pariſh of St. John, to mend and keep in repair the road from the town of St. Jago de la Vega, through the ſavanna, to the foot of the red hills leading to Guanaboa, in the pariſh of St. John; and to empower and oblige the inhabitants of the pariſh of St. Thomas in the Vale to mend and keep in repair the road from the town of St. Jago de la Vega, through the ſavanna, to a place called the Angels, in the pariſh of St. Catherine, leading to the ſaid pariſh of St. Thomas in the Vale; and for empowering and obliging the juſtices and veſtry of the pariſh of Clarendon to open and repair a road of communication from George Maddox's plantation, near Old Woman's Savanna, in the ſaid pariſh of Clarendon, to the Vale of Luidas, in the pariſh of St. John;" and for other purpoſes therein mentioned.

23. An act for granting protection to the properties of perſons in the exerciſe of certain duties, and to exempt them from perſonal attendance on the courts of juſtice during the ſame. *Exp.*

24. An act to repeal ſuch parts of an act for reviving and continuing two ſeveral acts of this iſland, the one entitled, "An act for the better regulating, training, and diſciplining, the militia; and for enforcing and rendering more effectual an act entitled, 'An act for ſettling the militia,'" and the other entitled, "An act for paying the non-commiſſioned officers and private men of the militia," as relates to the paying the non-commiſſioned officers and private men of the militia. *Exp.*

PRIVATE ACTS.

Anno 18 *Georgii* III.

An act for veſting in truſtees ſeveral pieces or parcels of land, part of the eſtate of the honourable John Scott, eſquire, deceaſed, in truſt, to ſell and diſpoſe of the ſame for the payment of the debts of the ſaid John Scott, and for other purpoſes therein mentioned.

An act to intitle Ann Martin, of the pariſh of St. Catherine, a free quadroon woman, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle William Tucker, of the pariſh of St. Mary, a free quadroon man, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Mary Williams, Elizabeth Williams, Janett Williams, Charlotte Margaret Williams, Catherine Williams, Sarah Williams, John Williams, Thomas Williams, George Williams, and John Ruſſell Williams, free quadroons, the reputed children of John Williams, of the pariſh of St. Ann, eſquire, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to enable John Rogers, of the pariſh of Clarendon, mill-wright, to carry into execution his method of applying friction-wheels to the ſide roller gudgeons of mills for grinding ſugar-canes.

An act to intitle Judith Hutt, of the pariſh of St. Andrew, a free mulatto woman, and Elizabeth Davidſon, Mary Davidſon, Judith Millward, Benjamin Millward, James Laing, and John Laing, the children of the ſaid Judith Hutt;

Hutt; as alſo William Wynne, the ſon of the ſaid Elizabeth Davidſon, and Samuel Walters and Judith Walters, the children of the ſaid Mary Davidſon, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to authorize and enable John Williams, of the pariſh of St. Ann, in the county of Middleſex, and iſland aforeſaid, eſquire, to ſettle and diſpoſe of his eſtate, both real and perſonal, in this iſland, by deed or will, in ſuch manner as he ſhall think proper, notwithſtanding an act of the governor, council, and aſſembly of this iſland, entitled, "An act to prevent the inconveniencies ariſing from exorbitant grants and deviſes made by white perſons to negroes, and the iſſue of negroes, and to reſtrain and limit ſuch grants and deviſes."

An act to veſt in truſtees, to ſell and diſpoſe of, a certain tract of land in the pariſh of Kingſton, late the eſtate of Thomas Harper, late of the pariſh of Port-Royal, merchant, deceaſed, for certain uſes therein mentioned.

An act to intitle Frances Shawditch, of the pariſh of Kingſton, a free mulatto woman, and William Donn, Grace Donn, Rebecca Knowles, John Fiſher, and Pierce Fiſher, the children of the ſaid Frances Shawditch, to the ſame right and privileges with Engliſh ſubjects, under certain reſtrictions.

PUBLIC ACTS.

Anno 19 *Georgii* III.—1778.

1. AN ACT for the prevention of indebted perſons from departing this iſland in the time of martial law; and to empower the judges and juſtices to exerciſe their ſeveral offices in certain caſes; and to empower the juſtices and veſtry, and churchwardens, and ſurveyors of highways, to diſcharge their ſeveral duties; and to enable landlords to diſtrain for rent, notwithſtanding martial law. *Exp.*
2. An act for giving licenſe to the captors, other proprietors, and purchaſers of prize-goods, brought into and condemned as ſuch in this iſland, to export the ſame, under certain regulations, free from any duties impoſed by the laws of this iſland; and for the laying a duty on certain wines that may be brought in and condemned as prize, and ſold in this iſland, and not already liable to any duty or impoſt. *Exp.*
3. An act to repeal two ſeveral acts of this iſland, one entitled, "An act for appointing commiſſioners for ordering and inſpecting the works in and about the forts, fortifications, and barracks, of this iſland," the other entitled, "An act to add commiſſioners to thoſe already appointed for carrying on the works in and about the forts, fortifications, and barracks of this iſland, and to thoſe already appointed for building, finiſhing, and repairing, the public edifice in St. Jago de la Vega;" and for appointing commiſſioners for forts, fortifications, and public buildings. *Exp.*
4. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*
5. An act to repeal an act entitled, "An act for veſting runaway ſlaves, not claimed by the proprietors within a certain time, in his majeſty, to be employed in the ſervice of the public;" and to direct how thoſe ſlaves, now veſted in his majeſty by virtue of the ſaid act, ſhall be diſpoſed of.
6. An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating

lating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations. *Exp.*

7. An act to prevent the ſevering of eſtates and plantations, lands, ſlaves, tenements, and hereditaments, by way of dower, and to alter the preſent mode of aſſigning ſuch dower; and for other purpoſes therein mentioned. *Exp.*

8. An act for reviving and continuing an act of this iſland, entitled, "An act for the better regulating, training, and diſciplining, the militia; and for enforcing and rendering more effectual an act entitled, 'An act for ſettling the militia.'" *Exp.*

9. An act to enable his excellency John Dalling, eſquire, captain-general, governor, and commander in chief of this iſland, or the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time. *Exp.*

10. An act for the aſcertainment and regulation of emblements. *Exp.*

11. An act for the further regulation of the ſervice and execution of proceſs, and the returns thereof, and other purpoſes relating to the ſervice of jurors, and rendering the ſame a more equal duty. *Exp.*

12. An act to explain, alter, and amend, an act, paſſed in the year of our Lord one thouſand ſix hundred and ninety-ſix, entitled, "An act for the better order and government of ſlaves." *Rep.*

13. An act to regulate wharfage and ſtoreage. *Exp.*

14. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*

15. An act to repeal "An act to encourage the breed of good and large horſes."

16. An act for keeping in repair the harbour of Kingſton, and for regulating the mooring of ſhips in the ſaid harbour; and for reſtraining all maſters or commanders of veſſels, for the future, from heaving overboard ballaſt in any of the harbours or ſhipping-places in this iſland. *Exp.*

17. An act appointing and enabling truſtees, to ſell the land now occupied as a botanic garden; and, with the monies to ariſe from the ſale thereof, to purchaſe other lands for the like purpoſe.

18. An act to prevent negro or other ſlaves from keeping horſes, mares, mules, geldings, or aſſes. *Exp.*

19. An act for veſting in truſtees the gaol of the county of Cornwall, to be by them ſold and diſpoſed of, to the beſt bidder that can be got for the ſame, at public ſale; and that the money ariſing from ſuch ſale may be applied by the truſtees, ſo to be appointed, towards building a new gaol in or near Savanna-la-Mar, in ſaid county.

20. An act to prevent horſe-ſtealing, and for preventing the ſtealing and deſtroying of ſheep, goats, and other cattle. *Exp.*

21. An act for aſcertaining who ſhall compoſe future councils of war, and regulating their proceedings. *Diſal.*

22. An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for

for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes. *Exp.*

23. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes. *Exp.*

24. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

25. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and applying the ſame to ſeveral uſes. *Exp.*

26. An act for granting an additional ſubſiſtence to his majeſty's ſeventy-ninth regiment of foot, quartered in this iſland. *Exp.*

27. An act for ſettling and regulating the price and aſſize of bread in the ſeveral pariſhes of this iſland. *Exp.*

28. An act for raiſing a ſum of money by way of lottery, for the better ſubſiſtence of his majeſty's troops quartered in this iſland. *Exp.*

29. An act for poſtponing the drawing the lottery, and for appointing a future time for drawing the ſame. *Exp.*

30. An act to ſecure the monies which have already been lent to the public; and to empower his majeſty's receiver-general, or the receiver-general for the time being, to borrow a further ſum of money, not exceeding thirty thouſand pounds, current money of this iſland, within the ſpace of twelve months from the paſſing of this act, at an intereſt of ſix pounds *per centum per annum*, to pay the troops quartered in this iſland, and for other purpoſes. *Exp.*

31. An act for the completing, finiſhing, and repairing, the works now carrying on for the defence of the iſland. *Exp.*

32. An act for ſubſiſting the militia in the time of martial law; and for accommodating them, and alſo his majeſty's regular forces quartered in this iſland, while on march. *Exp.*

PRIVATE ACTS,

Anno 19 *Georgii* III.

An act for enabling Samuel Sainthill to carry into execution his method of hanging coppers for clarifying cane liquor.

An act to intitle Thomas Hanlon, John Hanlon, Felix Hanlon, and Elizabeth Hanlon, free mulattoes, the reputed children of Patrick Hanlon, eſquire, deceaſed, by Julian Boon, a free negro woman, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Elizabeth Foord, of the pariſh of Kingſton, a free quadroon woman, and her ſeveral children, named Elizabeth Foord, Jean Foord, and Margaret Foord, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

PUBLIC ACTS,

Anno 20 *Georgii* III.—1779.

1. AN ACT for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*

2. An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder, payable

on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations. *Exp.*

3. An act to limit the duration of aſſemblies.

4. An act for appointing Stephen Fuller, eſquire, an agent in Great-Britain, to ſolicit the paſſing of laws, and for tranſacting in Great-Britain other public affairs of this iſland; and for empowering certain members of the council and aſſembly, during the intervals of aſſembly, from time to time, as occaſion ſhall require, to give inſtructions for ſuch his management. *Exp.*

5. An act to regulate the trials of controverted elections, or returns of members to ſerve in aſſembly. *Exp.*

6. An act empowering any one of the judges of the ſupreme court of judicature to take the examination of witneſſes leaving this iſland, in any action brought, or to be brought, for the recovery of debts actually in ſuit, in the ſame manner as if ſuch examination had been taken and returned under the ſeal of the city of London, purſuant to an act of parliament paſſed in the fifth year of the reign of George the ſecond. *Rep.*

7. An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes. *Exp.*

8. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

9. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

10. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes. *Exp.*

11. An act for aſcertaining who ſhall compoſe future councils of war; and for ſubſiſting the militia in time of martial law; and for other purpoſes reſpecting the ſaid militia. *Exp.*

12. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

13. An act to enable his excellency John Dalling, eſquire, captain-general, governor, and commander in chief of this iſland, or the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time. *Exp.*

14. An act for granting an additional ſubſiſtence to his majeſty's eighty-eighth regiment of foot, quartered in this iſland. *Exp.*

PRIVATE ACTS.

Anno 20 *Georgii* III.

An act to enable Thomas Cuſſans, eſquire, to charge and incumber his moiety of

a certain plantation called Amity-Hall, ſituate in the pariſh of St. Thomas in the Eaſt, in this iſland, with a certain ſum of money therein mentioned.

An act to intitle John Brearey, of the pariſh of St. Ann, a free quadroon man, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle William Wagg, of the pariſh of Kingſton, a free quadroon man, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle John Aſhburne, a free mulatto man, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

PUBLIC ACTS.

Anno 21 *Georgii* III.—1780.

1. AN ACT for aſcertaining who ſhall compoſe future councils of war; and for ſubſiſting the militia in time of martial law; and for other purpoſes reſpecting the ſaid militia. *Exp.*

2. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

3. An act for amending and keeping in repair the road leading from Joſeph Price's Gate, in the pariſh of St. Ann, over Mount-Diablo, to Rio-Magno-Gully, in St. Thomas in the Vale; and for veſting in truſtees the toll to be raiſed by a turnpike on the ſaid road, for the purpoſes aforeſaid. *Exp.*

4. An act to repeal an act entitled, "An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and alſo one other act, entitled, "An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, 'An act for the better order and government of ſlaves,' and the other entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;'" and alſo one other act, entitled, "An act to repeal part of an act, entitled, 'An act for the better order and government of ſlaves;' and alſo of one other act, entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;' and alſo part of one other act, entitled, 'An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, 'An act for the better order and government of ſlaves,' and the other entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;' and for the more effectual preventing the inveigling, hiding, concealing, or employing the ſlaves of others; and for rendering the puniſhment of ſuch offenders more certain and effectual;" and alſo part of an act entitled, "An act for the better order and government of ſlaves;" and to prevent the hiding, concealing, inveigling, detaining, knowingly harbouring, or employing, the ſlaves of others; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves. *Exp.*

5. An

5. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*

6. An act for the better order and government of the negroes belonging to the ſeveral negro-towns, and for preventing them from purchaſing of ſlaves; and for encouraging the ſaid negroes to go in purſuit of runaway ſlaves; and for other purpoſes therein mentioned. *Exp.*

7. An act for regulating the fees of the maſters of the high court of chancery of this iſland. *Exp.*

8. An act to prevent the ſmuggling foreign produce into this iſland. *Exp.*

9. An act for amending and keeping in repair the road leading from St. Jago de la Vega, in the pariſh of St. Catherine, to St. Jago Plantation, in the pariſh of Clarendon; and for veſting in truſtees the toll raiſed by a turnpike on the ſaid road, for the purpoſes aforeſaid. *Exp.*

10. An act for regulating the proceedings of ſurveyors of land, and for the better regulating and eſtabliſhing their fees. *Exp.*

11. An act for allotting lands, and veſting the ſame in truſtees, for new-building the town of Savanna-la-Mar; for making aqueducts or canals for conveying freſh and ſea water thereto; and for other purpoſes.

12. An act for tranſcribing the toll-book and regiſter of the pariſh of Hanover; and for making the ſame, when ſo tranſcribed, legal evidence in all courts in this iſland.

13. An act to repeal part of a clauſe of an act entitled, "An act to veſt certain parcels of land, ſituate, lying, and being, in the pariſh of St. Catherine, in the juſtices, veſtrymen, and churchwarden or churchwardens, of the ſaid pariſh, and the juſtices, veſtrymen, and churchwarden or churchwardens of the ſaid pariſh for the time being, for the uſe of the inhabitants of the ſaid pariſh; and to enable the preſent juſtices, veſtrymen, and churchwarden or churchwardens, of the ſaid pariſh, or the juſtices, veſtrymen, and churchwarden or churchwardens for the time being, to maintain or defend any ſuit or ſuits at law or in equity for recovery of the ſame, or any part or parcel thereof, and to make leaſes of part of the ſaid lands, for the uſe of the ſaid pariſh;" and for rendering the ſaid act more effectual.

14. An act for explaining and amending the ſeveral highway laws now in force, and rendering the ſaid laws more effectual. *Exp.*

15. An act to repeal two ſeveral acts, the one, "An act to ſecure the freedom of elections, and directing the proceedings in the choice of members to ſerve in aſſemblies in this iſland; to qualify perſons elected to ſerve in future aſſemblies in this iſland; and to aſcertain who ſhall be deemed mulattoes for the future," and the other, "An act for explaining, amending, and rendering more effectual, an act entitled, 'An act to ſecure the freedom of elections, and directing the proceedings in the choice of members to ſerve in aſſemblies in this iſland; to qualify perſons elected to ſerve in future aſſemblies in this iſland; and to aſcertain who ſhall be deemed mulattoes for the future;' and for preventing the fraudulent practice of multiplying votes at the elections of members to ſerve in the aſſembly of this iſland;" and to ſecure the freedom of elections, and directing the proceedings in the choice of members to ſerve in aſſemblies in this iſland;

to qualify perſons elected to ſerve in future aſſemblies in this iſland; and to aſcertain who ſhall be deemed mulattoes for the future; and to prevent the fraudulent practice of multiplying votes at the elections of members to ſerve in aſſembly of this iſland.

16. An act to enable his excellency John Dalling, eſquire, captain-general, governor, and commander in chief of this iſland, or the governor and commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time. *Exp.*

17. An act to oblige the ſeveral inhabitants of this iſland to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

18. An act for tranſcribing the toll-book and regiſter of the pariſh of Weſtmorland; and for making the ſame, when ſo tranſcribed, legal evidence in all courts in this iſland.

19. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes. *Exp.*

20. An act for eſtabliſhing public workhouſes in the ſeveral pariſhes of this iſland. *Exp.*

21. An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes. *Exp.*

22. An act for repealing all the clauſes, in the ſeveral acts of the legiſlature of this iſland, which impoſe reſtrictions, conditions, penalties, and forfeitures, upon the ſettlers in the pariſh of Portland; and to leave the king's lands, in the ſaid pariſh, open to the ſame mode of being patented as the lands of the other pariſhes in this iſland are patented and ſettled.

23. An act to compel the preſent provoſt-marſhal to enter ſatisfaction, in his books, upon all executions now returned into his office, which appear to be ſatisfied; and to oblige the perſons, hereafter executing that office, to enter ſatisfaction, in ſaid office, upon all executions that ſhall be hereafter lodged; and for other purpoſes reſpecting the public offices and officers.

24. An act to appoint inſpectors for regulating the allowance given to priſoners confined in gaol; and for granting an additional allowance for the ſupport of negroes confined in gaol, for a limited time. *Exp.*

25. An act to make the places of the judges of the ſupreme court of judicature and juſtices of aſſize, in this iſland, more permanent and reſpectable.

26. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

27. An act for granting an additional ſubſiſtence to his majeſty's ninety-ninth regiment of foot, and alſo a further reinforcement of artillery-men, quartered in this iſland. *Exp.*

PRIVATE

PRIVATE ACTS.

Anno 21 *Georgii* III.

An act to intitle Bryan Mackey, a free quadroon, the reputed ſon of William Mackey, eſquire, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Johanna Gaul, of the pariſh of St. Thomas in the Eaſt, in this iſland, a free mulatto woman, and her ſeveral children and grand-children, named John M'Dermit, James M'Dermit, Charles M'Dermit, Jannet M'Dermit, Agnes Johanna Troup, Elizabeth Troup, Mary M'Dermit, and Elizabeth M'Dermit, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle John Richard Jacob, John Jacob, and Elizabeth Jacob, of the pariſh of St. David, free mulattoes, and Ann M'Pherſon, Catherine M'Pherſon, and Elizabeth M'Pherſon, the reputed children of William M'Pherſon, of the ſaid pariſh of St. David, maſon, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle William Hiatt, John Hiatt, Edward Hiatt, Elizabeth Hiatt, Ann Hiatt, and Eleanor Hiatt, the reputed children of John Hiatt, of the pariſh of St. Ann, eſquire, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle George Wilſon, of the pariſh of St. Ann, a free quadroon man, and Sarah Wilſon and Margaret Davis, the reputed children of John Wilſon, late of the ſaid pariſh of St. Ann, mill-wright, deceaſed; and the children of the ſaid Sarah Wilſon and Margaret Davis, named John Wilſon Dun, Sarah Vidal, Richard Davis, John Wilſon Davis, Thomas Davis, George Davis, and Sarah Davis, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle James Cargill Richards, a free mulatto man, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Mary Good and Sarah Good, both of the pariſh of Kingſton, in this iſland, free mulatto women, and their children, named James Curtis, Thomas Merchant, Andrew Yuel, and Elizabeth Yuel, and Thomas Good, of the pariſh of Vere, in this iſland, a free mulatto man, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

PUBLIC ACTS.

Anno 22 *Georgii* III.—1781.

1. AN ACT for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes. *Exp.*

2. An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations. *Exp.*

3. An act for giving an additional allowance for the ſupport of negroes confined in gaol, for a certain time. *Exp.*

4. An act to amend an act entitled, "An act for aſcertaining who ſhall compoſe future councils of war; and for ſubſiſting the militia in time of martial law; and for other purpoſes reſpecting the ſaid militia." *Exp.*

5. An

5. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*

6. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

7. An act to enable his excellency John Dalling, eſquire, captain-general, governor, and commander in chief of this iſland, or the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland for a limited time. *Exp.*

8. An act to repeal two ſeveral acts, the one, an act entitled, "An act appointing the prices of meat," paſſed in the year of our Lord one thouſand ſix hundred and eighty-one, and the other, an act entitled, "An act for appointing the prices of meats, and regulating markets," paſſed in the year of our Lord one thouſand ſix hundred and ninety-three, ſo far as the ſaid acts relate to the prices of meats.

9. An act for the aſcertainment and regulation of emblements. *Exp.*

10. An act to prevent horſe-ſtealing; and for preventing the ſtealing and deſtroying of ſheep, goats, and other cattle. *Exp.*

11. An act to regulate wharfage and ſtoreage. *Exp.*

12. An act for altering, amending, and keeping in repair, the road leading from the town of Kingſton, through the pariſhes of Port-Royal and St. David, through Four-Mile-Wood to Yallah's Bay, and thence through Morant-Bay and Port-Morant, to the Harbour of Manchioneal; and for veſting in truſtees the toll or tolls to be raiſed by a turnpike or turnpikes on the ſaid road, for the purpoſes aforeſaid. *Exp.*

13. An act to repeal two ſeveral acts of this iſland, one entitled, "An act for appointing commiſſioners for ordering and inſpecting the works in and about the forts, fortifications, and barracks of this iſland;" the other entitled, "An act to add commiſſioners to thoſe already appointed for carrying on the works in and about the forts, fortifications, and barracks of this iſland, and to thoſe already appointed for building, finiſhing, and repairing, the public edifice in St. Jago de la Vega;" and for appointing commiſſioners for forts, fortifications, and public buildings. *Exp.*

14. An act for granting an additional ſalary to his honour Archibald Campbell, eſquire, lieutenant-governor and commander in chief, during his adminiſtration. *Exp.*

15. An act to explain, amend, and render more effectual, "An act to augment the ſalary of his excellency George Haldane, eſquire; and for providing certain lands and premiſes to be annexed to the government, for the uſe of the governor for the time being." *Exp.*

16. An act for laying a duty on all wines, arrack, brandy, and gin, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, arrack, brandy, and gin, and on the public offices, and on rum ſold for conſumption in this iſland; and applying the ſame to ſeveral uſes. *Exp.*

17. An act to repeal ſeveral acts, and clauſes of acts, reſpecting ſlaves, and for the better order and government of ſlaves; and for other purpoſes. *Exp.*

18. An act for giving licenſe to the captors and other proprietors, and purchaſers, of prize-goods, brought into and condemned as ſuch in this iſland, to export the ſame, under certain regulations, free from any duties impoſed

by

by the laws of this iſland; and for the laying a duty on certain wines that may be brought in and condemned as prize, and ſold in this iſland, and not already liable to any duty or impoſt. *Exp.*

19. An act for the better preventing miſchiefs that may happen by fire in the town of Kingſton; for the further regulating the aſſize of bread, and the nightly watch, in the ſaid town; and for other purpoſes therein mentioned.

20. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

21. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

22. An act to explain and amend "An act for aſcertaining who ſhall compoſe future councils of war; and for ſubſiſting the militia in time of martial law; and for other purpoſes reſpecting the ſaid militia." *Exp.*

23. An act to encourage the fitting out veſſels againſt the pickaroons and other veſſels of the enemy, infeſting the coaſts and coaſting trade of this iſland. *Exp.*

24. An act for explaining, amending, and rendering more effectual, "An act for amending and keeping in repair the road leading from St. Jago de la Vega, in the pariſh of St. Catherine, to St. Jago Plantation, in the pariſh of Clarendon; and for veſting in truſtees the toll raiſed by a turnpike on the ſaid road, for the purpoſes aforeſaid." *Exp.*

25. An act for amending and keeping in repair the road leading from Pepper Plantation, in the pariſh of St. Elizabeth, to Savanna-la Mar, in the pariſh of Weſtmorland; and for veſting in truſtees the toll raiſed by a turnpike or turnpikes on the ſaid road, for the purpoſes aforeſaid. *Exp.*

26. An act for eſtabliſhing and declaring additional rules and articles of war. *Exp.*

27. An act for granting an additional ſubſiſtence to his majeſty's fourteenth regiment of foot, quartered in this iſland. *Exp.*

PRIVATE ACT.

Anno 22 *Georgii* III.

An act to intitle Suſanna Mitchell, a free mulatto woman, and her ſeveral children, named James Mitchell Dawes, the reputed ſon of James Dawes, eſquire, deceaſed; John Napier, Peter Napier, George Richard Napier, and Suſanna Napier, the reputed children of George Napier, of the pariſh of Clarendon, merchant, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

PUBLIC ACTS.

Anno 23 *Georgii* III.—1782.

1. AN ACT for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*

2. An act to enable his honour Archibald Campbell, eſquire, lieutenant-governor and commander in chief of this iſland, or the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting

hibiting the exportation of flour and other proviſions from this iſland, for a limited time. *Exp.*

3. An act for reviving and continuing, for a certain time, "An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes." *Exp.*

4. An act for appointing Stephen Fuller, eſquire, an agent in Great-Britain, to ſolicit the paſſing of laws, and for tranſacting in Great-Britain other public affairs of this iſland; and for empowering certain members of the council and aſſembly, from time to time, as occaſion ſhall require, to give inſtructions for ſuch his management. *Exp.*

5. An act for the further relief of inſolvent debtors, impriſoned for debt. *Exp.*

6. An act for licenſing hawkers and pedlars; and for applying the monies, to ariſe from granting ſuch licenſes, towards the ſupport and maintenance of the poor of the pariſhes where ſuch licenſes are granted. *Exp.*

7. An act to give a recompenſe to perſons that ſhall be unjuſtly vexed by writs of replevin. *Exp.*

8. An act for rendering the navigation of the Black River, in the pariſh of St. Elizabeth, more ſafe and commodious; for keeping in repair the port and harbour of Graveſend, in the ſaid pariſh; for regulating the mooring of ſhips in the ſaid port and harbour; and to reſtrain all maſters of ſhips or other veſſels from heaving overboard ballaſt in the ſaid port or harbour; and for veſting in truſtees a piece or parcel of land, in the ſaid pariſh of St. Elizabeth, to be ſold for the uſe of the ſaid pariſh; and for applying the money to ariſe from ſuch ſale to the purpoſes herein mentioned.

9. An act for veſting in truſtees a certain piece or parcel of land, ſituate in the pariſh of St. Mary, whereon a barrack has been built, and directed to be kept in repair by the pariſh of St. Thomas in the Vale; for enabling the truſtees to ſell and diſpoſe of the ſame, and, with the monies ariſing from ſuch ſale, to purchaſe land and build a barrack in the ſaid pariſh of St. Thomas in the Vale; and for other purpoſes.

10. An act to veſt certain lands, ſituate, lying, and being, in the pariſh of St. Mary, in the juſtices and veſtrymen of the ſaid pariſh, and the juſtices and veſtrymen of the ſaid pariſh for the time being, for the uſe of the poor of the ſaid pariſh; and to enable the juſtices and veſtrymen of the ſaid pariſh, for the time being to maintain or defend any ſuit or ſuits, at law or in equity, for recovery of the ſame, or any part thereof, and to make leaſes of the ſaid land, or any part thereof, for the uſe of the poor of the ſaid pariſh.

11. An act for laying a duty on tonnage, and applying the ſame to the uſe of forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations. *Exp.*

12. An act for applying the ſurpluſage of the money that ſhall ariſe by virtue of "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," to certain uſes. *Exp.*

13. An act for quieting to purchaſers, and thoſe claiming under them, the poſſeſſion of negro and other ſlaves purchaſed

chaſed under writs of *venditioni*; and for other purpoſes.

14. An act to remedy the evils ariſing to mortgagees and mortgagers, by the removal of ſlaves, mules, cattle, ſtock, and plantation utenſils, under mortgage, and levied on junior writs of *venditioni*; and for other purpoſes.

15. An act to eſtabliſh and confirm the boundary between the pariſhes of Port-Royal and St. David.

16. An act to enable the juſtices and veſtrymen of the pariſh of Weſtmorland to raiſe a further ſum, not exceeding two thouſand pounds, upon the inhabitants of the ſaid pariſh, towards finiſhing and completing the court-houſe herein mentioned.

17. An act for building a bridge over the Rio-Bueno. *Obſ.*

18. An act for laying a duty on all wines, arrack, brandy, and gin, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, arrack, brandy, and gin, and on the public offices; and on rum ſold for conſumption in this iſland; and applying the ſame to ſeveral uſes. *Exp.*

19. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

20. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes. *Exp.*

21. An act for indemnifying ſuch perſons as have acted for the ſervice of the public, in adviſing or carrying into execution his majeſty's proclamation, iſſued by his honour the lieutenant-governor, dated the ſecond day of Auguſt, which was in the year of our Lord one thouſand ſeven hundred and eighty-two, for laying an embargo on veſſels having naval ſtores on board; and for preventing ſuits in conſequence of ſaid embargo; and to enable his excellency Archibald Campbell, eſquire, captain-general, governor, and commander in chief, or the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the continuance of the preſent war, prohibiting the exportation of cordage, ſail-cloth, canvas, and other naval ſtores, from this iſland. *Obſ.*

22. An act to regulate the fees of the governor's ſecretary. *Exp.*

23. An act to exempt from taxes, for a limited time, ſuch of his majeſty's ſubjects of North-America, Bay of Honduras, and Moſquito-Shore, as, from motives of loyalty, have been or ſhall be obliged to relinquiſh or abandon their poſſeſſions in that country, and take refuge in this iſland, with intent to ſettle here. *Obſ.*

24. An act to explain and amend "An act for amending and keeping in repair the road leading from Pepper Plantation, in the pariſh of St. Elizabeth, to Savanna-la-Mar, in the pariſh of Weſtmorland; and for veſting in truſtees the toll raiſed by a turnpike or turnpikes on the ſaid road, for the purpoſes aforeſaid; and alſo for amending and keeping in repair the road leading from Savanna-la-Mar, in the pariſh of Weſtmorland, to Lucea, in the pariſh of Hanover; and for veſting in truſtees the toll raiſed by a turnpike or turnpikes on the ſaid road. *Exp.*

25. An act to explain and amend an act entitled, "An act for the further relief of inſolvent debtors, impriſoned for debt." *Exp.*

26. An act for keeping in repair the harbour of Kingſton, and for regulating the mooring of ſhips in the ſaid harbour; and for reſtraining all maſters or commanders of veſſels, for the future, from heaving overboard ballaſt in the ſaid harbour of Kingſton.

27. An act for keeping in repair the harbour of Martha-Brae; for regulating the mooring of ſhips in the ſaid harbour; and for reſtraining all maſters or commanders of veſſels, for the future, from heaving overboard ballaſt in the ſaid harbour of Martha-Brae.

28. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

29. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

PRIVATE ACTS.

Anno 23 *Georgii* III.

An act to intitle Edward Brown, of the pariſh of Clarendon, a free mulatto man, and Ann, his wife, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to enable Edward Peter Serjeant, of the pariſh of St. Elizabeth, eſquire, to carry into execution his new-conſtructed mill for grinding ſugar-canes.

An act to intitle John Brearey to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle John White, Benjamin Thomas White, William Charlton White, Eleanor White, and Elizabeth Cardy White, free mulattoes, the reputed children of Benjamin White, late of the pariſh of St. Catherine, gentleman, deceaſed, by Jane M'Donald, a free negro woman, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

PUBLIC ACTS.

Anno 24 *Georgii* III.—1783.

1. AN ACT for eſtabliſhing and declaring rules and articles of war. *Exp.*

2. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes. *Exp.*

3. An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder, payable on tonnage, by virtue of "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland, and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations. *Exp.*

4. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*

5. An act to encourage perſons to keep veſſels for tranſporting goods about this iſland, and to prevent abuſes being committed by the maſters or commanders of ſuch veſſels; and to regulate wharfingers and others ſhipping ſuch goods. *Exp.*

6. An act for the further regulation of the ſervice and execution of proceſs, and the returns thereof; and other purpoſes relating to the ſervice of jurors, and rendering the ſame a more equal duty; and for other purpoſes therein mentioned. *Exp.*

7. An

7. An act for explaining and amending the ſeveral highway laws now in force, and rendering the ſaid laws more effectual. *Exp.*
8. An act to prevent the ſmuggling foreign produce into this iſland. *Exp.*
9. An act for eſtabliſhing public workhouſes in the ſeveral pariſhes in this iſland. *Exp.*
10. An act for eſtabliſhing, diſciplining, and regulating, the militia; for aſcertaining who ſhall compoſe future councils of war; and for other purpoſes reſpecting the ſaid militia. *Exp.*
11. An act for repealing an act entitled, "An act for the better diſcovering and collecting the arrears of his majeſty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due;" and for the better diſcovering, aſcertaining, and collecting, ſuch arrears; and for the more effectual collecting the quit-rents hereafter to become due.
12. An act for repealing ſo much of an act of this iſland, paſſed in the year one thouſand ſeven hundred and eleven, entitled, "An act for regulating fees," as eſtabliſhes the fees of the collector, naval officer, ſecretary, and receiver-general, for entering and clearing all veſſels trading to and from this iſland; and for regulating the fees of the ſeveral officers concerned in entering and clearing all ſuch veſſels; and for making certain proviſions for the better management of the offices therein mentioned. *Exp.*
13. An act to enable James Jones, of the pariſh of St. Catherine, in the county of Middleſex, in the ſaid iſland, eſquire, to compile, print, and publiſh, the ſeveral laws of this iſland, made and paſſed ſince the year of our Lord one thouſand ſeven hundred and ſixty-nine; and for veſting the right of printing, re-printing, and publiſhing, the ſame, in the ſaid James Jones, his executors, adminiſtrators, or aſſigns, for the time therein limited. *Exp.*
14. An act for applying the ſurpluſage of the money that ſhall ariſe, by virtue of "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," to certain uſes. *Exp.*
15. An act for laying a duty on all wines, arrack, brandy, and gin, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, arrack, brandy, and gin, and on the public offices, and on rum ſold for conſumption in this iſland; and applying the ſame to ſeveral uſes. *Exp.*
16. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

PRIVATE ACTS.

Anno 24 *Georgii* III.

An act to intitle Dugald Clark the younger, of the pariſh of St. Thomas in the Eaſt, a free mulatto man, the reputed ſon of Dugald Clark, of the ſaid pariſh, millwright, by Elſy Bayly, a free mulatto woman, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle John Aſhburne to the

ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to authorize and enable Thomas Wynter, eſquire, to ſettle and diſpoſe of his eſtate, both real and perſonal, in this iſland, by deed or will, in ſuch manner as he ſhall think proper, in favour of his natural children, William Roſe Wynter and Mary Mede, and their lawful iſſue, notwithſtanding an act of the governor, council, and aſſembly of this iſland, entitled, "An act to prevent the inconveniencies ariſing from exorbitant grants and deviſes made by white perſons to negroes, and the iſſue of negroes, and to reſtrain and limit ſuch grants and deviſes;" and to intitle the ſaid William Roſe Wynter and Mary Mede, and their iſſue, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to authorize and enable William Wright, of the pariſh of Portland, in the county of Surrey, in this iſland, eſquire, to ſettle and diſpoſe of his eſtate, both real and perſonal, in this iſland, by deed or will, in ſuch manner as he ſhall think proper, notwithſtanding an act of the governor, council, and aſſembly of this iſland, entitled, "An act to prevent the inconveniencies ariſing from exorbitant grants and deviſes made by white perſons to negroes, and the iſſue of negroes, and to reſtrain and limit ſuch grants and deviſes;" and to intitle Mary Wright, Sarah Wright, Roſamond Wright, George Wright, William Wright, and Richard Edge Wright, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act for veſting a certain plantation and eſtate, in the pariſh of Weſtmorland, in the iſland of Jamaica, called Three Mile River Plantation, in James Kerr, eſquire, and his heirs, freed and diſcharged from the uſes declared thereof by the ſettlements executed previous to and after the marriage of Alexander Fotheringham Ogilvy, eſquire, and Mary his now wife, late Mary Kerr, ſpinſter; and for ſettling another plantation of the ſaid James Kerr, in the pariſh of St. James, in the ſaid iſland of Jamaica, in lieu thereof, to the ſame uſes.

An act for veſting certain lots of land, meſſuages, buildings, ſhoal-water land, and hereditaments, with the appurtenances, in the town and pariſh of Kingſton, in the iſland of Jamaica, late part of the freehold eſtate of Hannah Becher, widow, compriſed in the ſettlement made by her, dated the fourth day of May, one thouſand ſeven hundred and fifty-three, in truſtees, to be ſold; and for purchaſing other lands and hereditamets, to be ſettled to ſuch of the uſes contained in the ſaid ſettlement thereof as are now exiſting.

An act to intitle Grace Needham, a free mulatto woman, and Elizabeth Dickeman, her daughter, and William Thomſon, the ſon of the ſaid Elizabeth Dickeman, and Mary M'Duffee and Malcolm M'Duffee, the reputed children of Malcolm M'Duffee, of the pariſh of St. Thomas in the Eaſt, planter, by the ſaid Grace Needham, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Ann Williams, Catherine Williams, Sarah Williams, Eleanor Williams, Elizabeth Williams, Thomas Williams, Martin Williams, and George Williams, free mulattoes, the reputed children of Martin Williams, of the pariſh of St. James, eſquire, by Eleanor Williams, a free negro woman, to the ſame rights and privileges with Engliſh

Engliſh ſubjects, under certain reſtrictions.

An act to intitle Thomaſina Roſs Ewers, a free muſtee woman, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Dorothy Manning, Thomas Manning, and George Manning, of the pariſh of Clarendon, free mulattoes, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Patrick Duncan, Edmund Duncan, and Sarah Duncan, free quadroons, the reputed children of Patrick Duncan, of the pariſh of St. Ann, planter, by Sarah Gray, a free mulatto woman, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Mary Pinnock, a free mulatto woman, and Charles Lord, her ſon, and William Thomſon, Nancy Thomſon, Molly Thomſon, and Archibald Thomſon, the reputed children of Archibald Thomſon, of the pariſh of Kingſton, merchant, by the ſaid Mary Pinnock, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Sarah Bonner, and Grace Bonner, free quadroons, and Mary Bonner, Elizabeth Frances Bonner, John Bonner, and Frances Wilſon, free muſtees, to the ſame rights and privileges as Engliſh ſubjects, under certain reſtrictions.

PUBLIC ACTS.

Anno 25 *Georgii* III.—1784.

1. AN ACT for the aſcertainment and regulation of emblements.

2. An act to authorize and empower the juſtices and veſtry of the ſeveral pariſhes of this iſland to make and erect pounds, for the better ſecuring of all ſtrays of horſes, mares, mules, aſſes, and horned cattle, belonging to the inhabitants of this iſland. *Exp.*

3. An act for explaining and amending the ſeveral highway laws now in force, and rendering the ſaid laws more effectual. *Rep.* and *Exp.*

4. An act to explain and regulate proceedings by foreign attachment. *Exp.*

5. An act to regulate wharfage and ſtoreage.

6. An act to empower the juſtices and veſtry, of the ſeveral pariſhes of this iſland, to ſettle and regulate the price and aſſize of bread. *Exp.*

7. An act for the better ſecuring the payment of rents, and preventing frauds by tenants.

8. An act to prevent ſlaves, ſtanding charged with any crime or offence, from availing themſelves, on their trials, of manumiſſions granted them after the commiſſion of the crime or offence for which they ſtand ſo charged.

9. An act to enable the provoſt-marſhal to aſſign bail-bonds.

10. An act for the more eaſy redemption and foreclоſure of mortgages; and to oblige mortgagees in poſſeſſion to record accounts of ſales of the annual crops, and accounts current reſpecting the ſame.

11. An act to aſcertain by whom and in what manner dividing fences ſhall be made and kept up.

12. An act for the further regulation of the ſervice and execution of proceſs, and the returns thereof, and rendering the duty of jurors more equal; for empowering the ſupreme court of judicature to grant ſpecial juries, and alſo commiſſions for the examination of witneſſes *de bene eſſe*, directed to ſuch perſons as they ſhall think fit; for repealing an act, paſſed

paſſed in the year of our Lord one thouſand ſeven hundred and ſeventy-nine, entitled, "An act empowering any one of the judges of the ſupreme court of judicature to take the examination of witneſſes leaving this iſland, in any action brought, or to be brought, for the recovery of debts actually in ſuit, in the ſame manner as if ſuch examinations had been taken and returned under the ſeal of the city of London, purſuant to an act of parliament paſſed in the fifth year of the reign of George the ſecond;" and for empowering the judges of the ſaid ſupreme court of judicature to take the examination of witneſſes leaving the iſland, during the vacation between the ſitting of the ſaid ſupreme court; for granting a daily ſubſiſtence to crown witneſſes confined in gaol for want of ſecurity; and for other purpoſes in the ſaid act mentioned. *Exp.*

13. An act to encourage the breed of good and large horſes. *Exp.*

14. An act to eſtabliſh a guard in the town of Kingſton, for the ſafety and protection thereof.

15. An act for raiſing a tax by the poll, and on trade, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

16. An act for keeping in repair the harbour of Annotto-Bay; for regulating the mooring of ſhips in the ſaid harbour; and for reſtraining all maſters or commanders of veſſels, for the future, from heaving overboard ballaſt in the ſaid harbour of Annotto-Bay.

17. An act to prevent the captains, commanders, or maſters of ſhips and all other veſſels whatſoever, from clandeſtinely carrying off this iſland negro or other ſlaves.

18. An act for granting an additional ſalary to his honour Alured Clarke, eſquire, lieutenant-governor and commander in chief, during his adminiſtration. *Exp.*

19. An act to explain, amend, and render more effectual, "An act to augment the ſalary of his excellency George Haldane, eſquire; and for providing certain lands and premiſes to be annexed to the government, for the uſe of the governor for the time being." *Exp.*

20. An act to repeal two ſeveral acts of this iſland, one entitled, "An act for appointing commiſſioners for ordering and inſpecting the works in and about the forts, fortifications, and barracks of this iſland;" the other entitled, "An act to add commiſſioners to thoſe already appointed for carrying on the works in and about the forts, fortifications, and barracks of this iſland, and to thoſe already appointed for building, finiſhing, and repairing, the public edifice in St. Jago de la Vega;" and for appointing commiſſioners for forts, fortifications, and public buildings. *Exp.*

21. An act for adding commiſſioners to thoſe already made a body corporate, for building a bridge over the Rio Cobre, in and by two ſeveral acts, one paſſed in the year one thouſand ſeven hundred and ſeventy-five, and the other in the year one thouſand ſeven hundred and ſeventy-ſix.

22. An act to prevent horſe-ſtealing; and for preventing the ſtealing and deſtroying of ſheep, goats, and other cattle. *Exp.*

23. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*

24. An act for applying the ſurpluſage of the money that ſhall ariſe by virtue of "An act for granting a revenue to his majeſty,

majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," to certain uſes. *Exp.*

25. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

26. An act for laying a duty on all wines, arrack, brandy, and gin, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, arrack, brandy, and gin, and on the public offices, and on rum ſold for conſumption in this iſland; and applying the ſame to ſeveral uſes. *Exp.*

27. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes. *Exp.*

28. An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations. *Exp.*

29. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

PRIVATE ACTS.

Anno 24 *Georgii* III.

An act to make free two negro men, named Grog and Iſaac, the property of the honourable Simon Taylor, of the pariſh of St. Mary, eſquire, for their faithful ſervices to the public.

An act for the exchange of certain lands and ſlaves in the pariſh of Hanover, in the county of Cornwall, in this iſland, between ſir John Taylor, of the kingdom of Great-Britain, baronet, and dame Elizabeth Goodin, his wife, and Samuel Williams Haughton, of Orange-Cove, in the ſaid pariſh of Hanover, in the county of Cornwall, in the iſland of Jamaica, eſquire, and Elizabeth Helen Haughton, of the ſame place, an infant.

An act for veſting an undivided moiety of a plantation called Swanſey, in the pariſh of St. John, late the eſtate of Matthew Gregory, eſquire, deceaſed, and the ſlaves and ſtock thereon, or thereto belonging, in truſtees, and their heirs, in truſt, to ſell the ſame, purſuant to an agreement for that purpoſe; and to lay out the money ariſing by ſuch ſale, in ſuch manner as is therein mentioned.

An act to enable William Harry, of the pariſh of St. Catherine, in the county of Middleſex, gentleman, to practiſe as an attorney, ſolicitor, and proctor, of the ſeveral courts in this iſland; and to authorize and enable the judges of the ſupreme court of judicature to permit the ſaid William Harry to take the uſual oaths for that purpoſe, notwithſtanding an act of this iſland, entitled, "An act for the further regulation of ſolicitors and attornies practiſing in the ſeveral courts in this iſland."

An act to intitle Elizabeth Bowen, of the pariſh of Weſtmorland, a free mulatto woman, and her ſon Patrick Bowen Murray, a free quadroon, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

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An act to authorize and enable Sarah Morris, of the pariſh of Kingſton, a free quadroon woman, to ſettle and diſpoſe of her eſtate, both real and perſonal, in this iſland, by deed or will, in ſuch manner as ſhe ſhall think proper, in favour of her natural daughter Charlotte Stirling, and her iſſue, notwithſtanding an act of the governor, council, and aſſembly, of this iſland, entitled, " An act to prevent the inconveniencies ariſing from exorbitant grants and deviſes made by white perſons to negroes, and the iſſue of negroes, and to reſtrain and limit ſuch grants and deviſes;" and to intitle the ſaid Charlotte Stirling, and her iſſue, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Patty Penford, of the pariſh of St. Elizabeth, a free mulatto woman, and Rebecca Wright and Margaret Forbes, her daughters, and Francis Maitland, the ſon of the ſaid Rebecca Wright, and Elizabeth Littlehales, the daughter of the ſaid Margaret Forbes, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to authorize and enable Patrick Duncan, of the pariſh of St. Ann, planter, to ſettle and diſpoſe of his eſtate, both real and perſonal, in this iſland, by deed or will, in ſuch manner as he ſhall think proper, notwithſtanding an act of the governor, council, and aſſembly of this iſland, entitled, " An act to prevent the inconveniencies ariſing from exorbitant grants and deviſes made by white perſons to negroes, and the iſſue of negroes, and to reſtrain and limit ſuch grants and deviſes."

An act to intitle Thomas Roper the younger, and Joſhua Roper, free mulattoes, the reputed ſons of Thomas Roper, of the pariſh of Portland, eſquire, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to authorize and enable Thomas Roper, of the pariſh of Portland, eſquire, to ſettle and diſpoſe of his eſtate, both real and perſonal, in this iſland, by deed or will, in ſuch manner as he ſhall think proper, notwithſtanding an act of the governor, council, and aſſembly, of this iſland, entitled, " An act to prevent the inconveniencies ariſing from exorbitant grants and deviſes made by white perſons to negroes, and the iſſue of negroes, and to reſtrain and limit ſuch grants and deviſes."

An act to intitle Jane Charlotte Beckford, of the pariſh of St. Catherine, a free mulatto woman, and George French and Edward French, free quadroons, the children of the ſaid Jane Charlotte Beckford, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

PUBLIC ACTS.

Anno 26 *Georgii* III.—1785.

1. AN ACT for laying a duty on all wines, arrack, brandy, and gin, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, arrack, brandy, and gin, and on the public offices, and on rum ſold for conſumption in this iſland; and applying the ſame to ſeveral uſes. *Exp.*

2. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen;

veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

3. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

4. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes. *Exp.*

5. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

6. An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations. *Exp.*

7. An act for veſting the common lands of the town of Titchfield, in the pariſh of Portland, in truſtees, for the purpoſe of raiſing a fund for erecting and maintaining a free-ſchool in the ſaid town; and for other purpoſes therein mentioned.

8. An act for appointing Stephen Fuller, eſquire, an agent in Great-Britain, to ſolicit the paſſing of laws, and for tranſacting in Great-Britain other public affairs of this iſland; and for empowering certain members of the council and aſſembly, from time to time, as occaſion ſhall require, to give inſtructions for ſuch his management. *Exp.*

9. An act for regulating the proceedings of ſurveyors of land, and for the better regulating and eſtabliſhing their fees. *Exp.*

10. An act for the prevention of indebted perſons from departing this iſland in time of martial law; and to empower the judges and juſtices to exerciſe their ſeveral offices in certain caſes; and to empower the juſtices and veſtry, and churchwardens, and ſurveyors of highways, to diſcharge their ſeveral duties; and to enable landlords to diſtrain for rent, notwithſtanding martial law. *Exp.*

11. An act for adding commiſſioners to thoſe already appointed, in and by an act entitled, "An act for explaining, amending, and rendering more effectual, 'An act for amending and keeping in repair the road leading from St. Jago de la Vega, in the pariſh of St. Catherine, to St. Jago Plantation, in the pariſh of Clarendon; and for veſting in truſtees the toll raiſed by a turnpike on the ſaid road, for the purpoſes aforeſaid. *Exp.*

12. An act for altering and amending an act entitled, "An act for altering, amending, and keeping in repair, the road leading from the town of Kingſton, through the pariſhes of Port-Royal and St. David, through Four-Mile-Wood, to Yallah's Bay, and thence through Morant-Bay and Port-Morant, to the harbour of Manchioneal; and for veſting in truſtees the toll or tolls to be raiſed by a turnpike or turnpikes on the ſaid road, for the purpoſes aforeſaid." *Exp.*

13. An act for the more effectual aſcertaining and collecting the tranſient tax, payable for the ſupport of the nightly watch of the town of Kingſton; and for other purpoſes in the ſaid town.

14. Act to regulate the fees of the governor's ſecretary. *Exp.*

15. An act for extending the time for giving-in an account of lands, agreeably to an act for the better diſcovery and recovering of the quit-rents. *Exp.*

16. An act for giving an additional allowance for the ſupport of negroes confined in gaol, for a certain time. *Exp.*

PRIVATE ACTS.

Anno 26 *Georgii* III.

An act to enable Robert William Bouſſie to carry into execution his new-invented mode of making muſcovado ſugar from the cane-juice.

An act to intitle Jonathan James, of the pariſh of St. Elizabeth, a free quadroon man, and John James, Montague James, and Elen James, the ſons and daughter of the ſaid Jonathan James, and Jonathan James junior, John James junior, Ann James, and William Rhodes James, the ſons and daughter of the ſaid John James ſenior, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to intitle Sarah Reade and Ann Reade, free quadroons, the reputed daughters of Lawrence Reade, late of the pariſh of Kingſton, merchant, deceaſed, by Mary Barrow, a free mulatto woman, alſo deceaſed, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to intitle Suſanna White, Charles White, and Jane White, of the pariſh of St. George, free mulattoes, and John Crawley White, Richard Crawley White, and Catherine Gowie, free quadroons, the ſons and daughter of the ſaid Suſanna White, and Alexander Gowie, and Jane Gowie, free quadroons, the ſon and daughter of the ſaid Catherine Gowie, and Mary Ann White, the lawful wife of the ſaid John Crawley White, and Nancy White, the daughter of the ſaid John Crawley White, by his ſaid wife, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to intitle James Allan Gorſſe and Jane Gorſſe, of the pariſh of Weſtmorland, free quadroons, the reputed children of John James Gorſſe, late of the ſaid pariſh of Weſtmorland, practitioner in phyſic and ſurgery, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

PUBLIC ACTS.

Anno 27 *Georgii* III.—1786.

1. AN ACT to regulate the trials of controverted elections or returns of members to ſerve in aſſembly. *Exp.*
2. An act to explain and amend an act entitled, "An act to regulate wharfage and ſtoreage, ſo far as the ſaid act relates to the towns of Kingſton and Morant-Bay.
3. An act for repealing part of an act entitled, "An act to oblige the juſtices and veſtrymen of ſeveral pariſhes in this iſland, to build, repair, and keep in repair, barracks, magazines, and arſenals, in their reſpective pariſhes;" and alſo to repeal part of one other act, entitled, "An act to explain and amend an act entitled, 'An act to oblige the juſtices and veſtrymen of ſeveral pariſhes in this iſland to build, repair, and keep in repair, barracks, magazines, and arſenals, in their reſpective pariſhes;" and to put the barracks and fort at Lucea, in the pariſh of Hanover, upon the public eſtabliſhment of this iſland.
4. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes. *Exp.*
5. An act to veſt certain lands and tenements, ſituate, lying, and being, in the town and pariſh of Kingſton, in the juſtices and veſtrymen of the ſaid pariſh, and the juſtices and veſtrymen of the

the ſaid pariſh for the time being, for the uſe of the poor of the ſaid pariſh; and to enable the juſtices and veſtrymen of the ſaid pariſh, for the time being, to maintain or defend any ſuit or ſuits at law or in equity for recovery of the ſame, or any part thereof, and to make leaſes of the ſaid lands and tenements, or any part thereof, for the uſe of the poor of the ſaid pariſh.

6. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

7. An act for laying a duty on all wines, arrack, brandy, and gin, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, arrack, brandy, and gin, and on the public offices, and on rum ſold for conſumption in this iſland; and applying the ſame to ſeveral uſes. *Exp.*

8. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

9. An act for eſtabliſhing, diſciplining, and regulating, the militia; for aſcertaining who ſhall compoſe future councils of of war; and for other purpoſes reſpecting the ſaid militia. *Exp.*

10. An act for repealing ſo much of an act of this iſland, paſſed in the year of our Lord one thouſand ſeven hundred and eleven, entitled, "An act for regulating fees," as eſtabliſhes the fees of the collector, naval officer, ſecretary, and receiver-general, for entering and clearing all veſſels trading to and from this iſland; and for regulating the fees of the ſeveral officers concerned in entering and clearing all ſuch veſſels; and for making certain proviſions for the better management of the offices therein mentioned. *Exp.*

11. An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations. *Exp.*

12. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

13. An act to enable his honour Alured Clarke, eſquire, lieutenant-governor, and commander in chief of this iſland, or the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time. *Exp.*

14. An act for giving an additional allowance for the ſupport of negroes confined in gaol, for a certain time. *Exp.*

PRIVATE ACTS.

Anno 27 *Georgii* III.

An act to repeal an act, paſſed the twenty-third day of December, one thouſand ſeven hundred and eighty-four, entitled, "An act for veſting an undivided moiety of a plantation called Swanſey, in the pariſh of St. John, late the eſtate

of Matthew Gregory, eſquire, deceaſed, and the ſlaves and ſtock thereon, or thereto belonging, in truſtees, and their heirs, in truſt, to ſell the ſame, purſuant to an agreement for that purpoſe; and to lay out the money ariſing by ſuch ſale, in ſuch manner as is therein mentioned;" and for veſting the divided moiety of the ſaid plantation called Swanſey, and the ſlaves and ſtock thereon, by a writ of partition divided and allotted to Mary Dehaney, who was truſtee for Thomas Gregory Johnſtone and Andrew Johnſtone, eſquires, in truſtees, and their heirs, in truſt, to ſell the ſame, purſuant to an agreement for that purpoſe; and to lay out the money ariſing by ſuch ſale in a purchaſe or purchaſes, or on good real ſecurity or ſecurities, for the benefit of the remainder-men under the will of the ſaid Matthew Gregory.

An act to intitle Sarah Fiſher, of the pariſh of St. Ann, in the county of Middleſex, and iſland aforeſaid, a free mulatto woman, and Benjamin Hull, William Hull, James Hull, John Fiſher Hull, Henry Thomas Hull, and Ann Sarah Hull, the reputed ſons and daughter of William Hull, of the pariſh of St. Ann aforeſaid, planter, by the ſaid Sarah Fiſher; and alſo Elizabeth Margaret Craig and Charles Robert Craig, the reputed ſon and daughter of Robert Craig, of the ſame place, planter, by the ſaid Sarah Fiſher, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to amend an act entitled, "An act to enable Robert William Bouſſie to carry into execution his new-invented mode of making muſcovado ſugar from the cane-juice;" and for the more effectually enabling the ſaid Robert William Bouſſie to carry into execution the ſaid invention.

PUBLIC ACTS.

Anno 28 *Georgii* III.—1787.

1. AN ACT to make the ſervice on ſpecial juries more equal and eaſy.
2. An act to appoint commiſſioners to inſpect the books of the receiver-general, and to ſettle and adjuſt the public accounts. *Exp.*
3. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes. *Exp.*
4. An act for amending and keeping in repair the road leading from Joſeph Price's Gate, in the pariſh of St. Ann, over Mount-Diablo, to Rio-Magno-Gully, in the pariſh of St. Thomas in the Vale; and for veſting in truſtees the toll to be raiſed by a turnpike on the ſaid road, for the purpoſes aforeſaid. *Exp.*
5. An act for the better regulating the police within the town of St. Jago de la Vega; for the better ſecurity of the public records, in caſe of fire in the ſaid town; and for other purpoſes.
6. An act to repeal ſeveral acts and clauſes of acts reſpecting ſlaves; and for the better order and government of ſlaves; and for other purpoſes. *Rep.*
7. An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*
8. An act for the further relief of inſolvent debtors, impriſoned for debt. *Exp.*
9. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*
10. An act for regulating the fees of the maſters of the high court of chancery of this iſland. *Exp.*
11. An act to prohibit the holding of elections of members to ſerve in the aſſembly, in any of the churches or chapels

chapels of this iſland; to declare where ſuch elections ſhall be holden in future; and to prevent diſturbances and riots which might enſue from public entertainments on the days of holding ſuch elections.

12. An act to repeal two ſeveral acts of this iſland, one entitled, "An act for appointing commiſſioners for ordering and inſpecting the works in and about the forts, fortifications, and barracks of this iſland," the other entitled, "An act to add commiſſioners to thoſe already appointed for carrying on the works in and about the forts, fortifications, and barracks of this iſland, and to thoſe already appointed for building, finiſhing, and repairing, the public edifice in St. Jago de la Vega;" and for appointing commiſſioners for forts, fortifications, and public buildings. *Exp.*

13. An act for applying the ſurpluſage of the money that ſhall ariſe by virtue of "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," to certain uſes. *Exp.*

14. An act to continue an act entitled, "An act for laying a duty on all wines, arrack, brandy, and gin, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, arrack, brandy, and gin, and on the public offices, and on rum ſold for conſumption in this iſland; and applying the ſame to ſeveral uſes." *Exp.*

15. An act for the more effectual prevention of ſmuggling; and for the better collecting certain duties and impoſts granted by the laws of this iſland, towards the ſupport of the government thereof.

16. An act for the better order and government of the negroes belonging to the ſeveral negro-towns, and for preventing them from purchaſing of ſlaves; and for encouraging the ſaid negroes to go in purſuit of runaway ſlaves; and for other purpoſes therein mentioned. *Rep.*

17. An act for amending and keeping in repair the road leading from St. Jago de la Vega, in the pariſh of St. Catherine, to the junction of the Mayday-Hill road, at the fig-tree in Olyphant's lane, in the pariſh of Clarendon; and for veſting in truſtees the toll raiſed by a turnpike on the ſaid road, for the purpoſes aforeſaid. *Rep.*

18. An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder, payable on tonnage, by virtue of "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations. *Exp.*

19. An act for laying an additional duty on all wines, brandy, gin, and other ſpirits or ſpirituous liquors, and on all beer, ale, porter, cyder, and perry, and alſo a duty on flour and biſcuits, imported into this iſland. *Exp.*

20. An act for laying a duty on all wines, arrack, brandy, and gin, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, arrack, brandy, and gin, and on the public offices, and on rum ſold for conſumption in this iſland; and for applying the ſame to ſeveral uſes. *Exp.*

21. An act to enable his honour Alured Clarke,

Clarke, eſquire, lieutenant-governor and commander in chief of this iſland, or the governor and commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time. *Exp.*

22. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

23. An act to repeal an act entitled, "An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and alſo one other act, entitled, "An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, 'An act for the better order and government of ſlaves,' and the other entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and alſo one other act, entitled, "An act to repeal part of an act entitled, 'An act for the better order and government of ſlaves;' and alſo of one other act, entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;' and alſo part of one other act, entitled, 'An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, 'An act for the better order and government of ſlaves,' and the other entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves,' and for the more effectual preventing the inveigling, hiding, concealing, or employing, the ſlaves of others; and for rendering the puniſhment of ſuch offenders more certain and effectual;" and alſo part of an act entitled, "An act for the better order and government of ſlaves;" and to prevent the hiding, concealing, inveigling, detaining, knowingly harbouring, or employing, the ſlaves of others; and for preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves. *Exp.*

24. An act for borrowing a ſum of money by way of lottery, for the payment and diſcharge of certain certificates, bearing an intereſt of ten pounds *per centum*, which were granted for the ſubſiſtence of his majeſty's troops. *Exp.*

25. An act for the more ſpeedy collecting the public taxes, and the arrears thereof now due. *Exp.*

26. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

PRIVATE

PRIVATE ACTS.

Anno 28 *Georgii* III.

An act to repeal an act, paſſed the twenty-third day of December, one thouſand ſeven hundred and eighty-four, entitled, " An act for veſting an undivided moiety of a plantation called Swanſey, in the pariſh of St. John, late the eſtate of Matthew Gregory, eſquire, deceaſed, and the ſlaves and ſtock thereon, or thereto belonging, in truſtees, and their heirs, in truſt, to ſell the ſame, purſuant to an agreement for that purpoſe; and to lay out the money ariſing by ſuch ſale, in ſuch manner as is therein mentioned;" and alſo to repeal a certain other act, paſſed the twenty-third day of December, one thouſand ſeven hundred and eighty-ſix, for the purpoſe of repealing the ſaid former act, paſſed the ſaid twenty-third day of December, one thouſand ſeven hundred and eighty-four, and of " veſting the divided moiety of the ſaid plantation called Swanſey, and the ſlaves and ſtock thereon, by a writ of partition divided and allotted to Mary Dehaney, who was truſtee for Thomas Gregory Johnſtone and Andrew Johnſtone, eſquires, in truſtees, and their heirs, in truſt, to ſell the ſame, purſuant to an agreement for that purpoſe; and to lay out the money ariſing by ſuch ſale in a purchaſe or purchaſes, or on good real ſecurity or ſecurities, for the benefit of the remainder-men under the will of the ſaid Matthew Gregory;" and for veſting the ſame divided moiety of and in the ſame plantation called Swanſey, and the ſlaves and ſtock thereon, by the ſaid writ of partition allotted to the ſaid Mary Dehaney, as truſtee for the ſaid Thomas Gregory Johnſtone and Andrew Johnſtone, in a truſtee, and his heirs, in truſt, to ſell the ſame, purſuant to an agreement for that purpoſe; and to lay out the money ariſing by ſuch ſale in a purchaſe of purchaſes, or on good real ſecurity or ſecurities, for the benefit of the remainder-men under the will of the ſaid Matthew Gregory.

An act to intitle John Lynch, of the pariſh of St. Elizabeth, a free mulatto man, and Elizabeth his wife, a free quadroon woman, and Grace Ann Lynch, Elizabeth Banton Lynch, Mark Lynch, Eleanor Banton Lynch, Margaret Banton Lynch, Frances Jane Lynch, John Sanders Lynch, Benjamin Banton Lynch, Priſcilla Lynch, and William Lynch, all free perſons, begotten and born in lawful wedlock, of the body of the ſaid Elizabeth, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Penelope Brewer, of the pariſh of St. George, a free mulatto woman, and John Aſhton, a free man of colour, and Helen Aſhton, his wife, the daughter of the ſaid Penelope Brewer, and Robert Cairns, a free quadroon, the ſon of the ſaid Penelope Brewer, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to intitle Thomas M'Ghie and Mary M'Ghie, free mulattoes, the reputed children of Robert M'Ghie, of the pariſh of Trelawny, eſquire, by Sarah M'Ghie, a free mulatto woman, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to intitle Robert Hilton Angwin, Sarah Hilton Angwin, John Angwin, and Frances Angwin, free quadroons, the reputed children of John Angwin, of the pariſh of St. Ann, eſquire, by Frances Jones, a free mulatto woman, lately deceaſed, to the ſame rights and privileges

privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to authorize and enable John Angwin, of the pariſh of St. Ann, eſquire, to ſettle and diſpoſe of his eſtate, both real and perſonal, in this iſland, by deed or will, in ſuch manner as he ſhall think proper, notwithſtanding an act of the governor, council, and aſſembly of this iſland, entitled, "An act to prevent the inconveniencies ariſing from exorbitant grants and deviſes made by white perſons to negroes, and the iſſue of negroes, and to reſtrain and limit ſuch grants and deviſes."

PUBLIC ACTS.

Anno 29 *Georgii* III.—1788.

1. AN ACT to repeal an act entitled, "An act for the eaſe of the inhabitants of the pariſh and precinct of St. Elizabeth," paſſed in the year of our Lord one thouſand ſeven hundred and twenty-three; and to authorize and empower the juſtices and veſtrymen of the ſaid pariſh to direct and appoint the place where the courts and veſtries of the ſaid pariſh ſhall be held in future.

2. An act to repeal an act entitled, "An act to repeal ſeveral acts, and clauſes of acts, reſpecting ſlaves; and for the better order and government of ſlaves; and for other purpoſes;" and alſo to repeal the ſeveral acts, and clauſes of acts, which were repealed by the act entitled as aforeſaid; and for conſolidating, and bringing into one act, the ſeveral laws relating to ſlaves; and for giving them further protection and ſecurity; for altering the mode of trial of ſlaves charged with capital offences; and for other purpoſes. *Exp.*

3. An act to repeal an act entitled, "An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and alſo one other act, entitled, "An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, 'An act for the better order and government of ſlaves,' and the other entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and alſo one other act, entitled, "An act to repeal part of an act entitled, 'An act for the better order and government of ſlaves;' and alſo of one other act, entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;' and alſo part of one other act, entitled, 'An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, 'An act for the better order and government of ſlaves,' and the other entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and for the more effectual preventing the inveigling, hiding, concealing, or employing, the ſlaves of others; and for rendering the puniſhment of ſuch offenders more certain and effectual;" and alſo part of an act entitled, "An act for the better order and government

of

of ſlaves;" and to prevent the hiding, concealing, inveigling, detaining, knowingly harbouring, or employing, the ſlaves of others; and for preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves. *Exp.*

4. An act for veſting ſix hundred acres of land, in the pariſh of St. George, patented for a glebe for the uſe of the rector of the ſaid pariſh for the time being, in truſtees, in truſt as to three hundred acres, part thereof, to ſell and diſpoſe thereof, and to lay out the money ariſing from ſuch ſale in manner herein mentioned; and as to the remainder thereof, in truſt for the uſe of the rector of the ſaid pariſh for the time being, and his ſucceſſors, rectors of the ſaid pariſh.

5. An act to regulate the fees of the governor's ſecretary. *Exp.*

6. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes. *Exp.*

7. An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations. *Exp.*

8. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

9. An act to enable his honour Alured Clarke, eſquire, lieutenant-governor and commander in chief of this iſland, or the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time. *Exp.*

10. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

11. An act for laying a duty on all wines, and upon brandy, gin, and other foreign ſpirits, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of brandy, gin, and other foreign ſpirits, and on the public offices; and on rum ſold for conſumption in this iſland, and for applying the ſame to ſeveral uſes. *Exp.*

12. An act for repealing certain clauſes of "An act for repealing an act entitled, 'An act for the better diſcovering and collecting the arrears of his majeſty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due;' and for the better diſcovering, aſcertaining, and collecting, ſuch arrears; and for the more effectual collecting the quit-rents hereafter to become due;" and for the more eaſy and effectual collecting, as well the arrears of his majeſty's quit-rents, as the quit-rents hereafter to become due to his majeſty.

13. An act for the further raiſing and eſtabliſhing the credit of this iſland; and for preventing vexatious ſuits at law, in conſequence of the deſtruction of vouchers by the late hurricanes and fires.

14. An act for the more effectually preventing nuiſances on the highways.

15. An act to explain and amend an act entitled, "An act for the more effectual prevention of ſmuggling; and for the better collecting certain duties and

imposts granted by the laws of this island, towards the support of the government thereof."

16. An act for the more effectually ascertaining and collecting the transient tax of the town of Montego-Bay, in the parish of St. James. *Rep.*

17. An act to appoint commissioners to inspect the books of the receiver-general, and to settle and adjust the public accounts. *Exp.*

18. An act to repeal an act entitled, "An act to restrain the inhabitants of the parish of Westmorland, in the county of Cornwall, in this island, from working any carriages of burthen, but with broad wheels, on the roads in the said parish;" and to restrain the inhabitants of the said parish from working any carriages of burthen, on the roads in the said parish, with wheels of any other dimensions than those herein prescribed.

19. An act for vesting in trustees the toll or tolls to be raised by a turnpike or turnpikes on the bridge over the Rio-Bueno River; and for mending and keeping in repair the road leading from the town of Rio-Bueno, in the parish of Trelawny, to Dry-Harbour, in the parish of St. Ann; and for other purposes. *Obs.*

20. An act to explain and amend an act entitled, "An act to regulate wharfage and storeage," so far as the said act relates to the parishes of Trelawny and St. James.

21. An act for appointing Stephen Fuller, esquire, an agent in Great-Britain, to solicit the passing of laws, and for transacting in Great-Britain other public affairs of this island; and for empowering certain members of the council and assembly, from time to time, as occasion shall require, to give instructions for such his management. *Exp.*

22. An act to repeal part of an act, passed in the year of our Lord one thousand seven hundred and twenty-three, entitled, "An act for dividing the parish of Westmorland into two distinct parishes, for the ease of the inhabitants," and also the first clause of one other act, passed in the year of our Lord one thousand seven hundred and thirty-three, entitled, "An act for running, cutting, and clearing, the dividing lines, and cutting of roads, in and between the parishes of Westmorland and Hanover; and for repairing a bridge over Cabaritta-River, in the said parish of Westmorland;" and for ascertaining and fixing the proper dividing lines between the parishes of Westmorland and Hanover.

23. An act to restrain the inhabitants of the parish of St. James, in the county of Cornwall, in this island, from working any carriages of burthen, but with broad wheels, on the roads in the said parish.

24. An act to oblige the several inhabitants of this island, to provide themselves with a sufficient number of white men, white women, or white children, or pay certain sums of money in case they shall be deficient, and applying the same to several uses; to protect freeholders on the days of choosing churchwardens and vestrymen; and to ascertain who shall be deemed duly qualified to vote at such elections. *Exp.*

25. An act for the more speedy collection of the public taxes, and the arrears thereof now due. *Exp.*

PRIVATE ACTS.

Anno 29 *Georgii* III.

An act to enable John Stone, of the parish of St. Catherine, in the county of Middlesex,

Middleſex, gentleman, to practiſe as an attorney, ſolicitor, and proctor, of the ſeveral courts in this iſland; and to authorize and enable the judges of the ſupreme court of judicature to permit the ſaid John Stone to take the uſual oaths for that purpoſe, notwithſtanding an act of this iſland, entitled, "An act for the further regulation of ſolicitors and attornies, practiſing in the ſeveral courts in this iſland."

An act for enabling Iſaac Laſcelles Winn, of the pariſh of St. James, eſquire, his executors, adminiſtrators, or aſſigns, to carry into execution his new invented principle of manufacturing ſugar, and diſtilling rum, with a much ſmaller quantity of fuel, and for ſupplying water.

An act to intitle George Cunningham, Samuel Laing, and Margaret Bright Sadler, of the pariſh of Kingſton, free muſtees, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Alexander Ruſſell, a free mulatto man, Iſabel Ruſſell, Elizabeth Ruſſell, and Jennet Ruſſell, free quadroons, the natural children of John Ruſſell, of the pariſh of Clarendon, eſquire, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to enable John Ruſſell, of the pariſh of Clarendon, eſquire, to ſettle and diſpoſe of his eſtate, both real and perſonal, in this iſland, by deed or will, in ſuch manner as he ſhall think proper, in favour of his natural children, Alexander Ruſſell, a free mulatto, and Iſabel Ruſſell, Elizabeth Ruſſell, and Jennet Ruſſell, free quadroons, and their iſſue, notwithſtanding an act of the governor, council, and aſſembly, of this iſland, entitled, "An act to prevent the inconveniencies ariſing from exorbitant grants and deviſes made by white perſons to negroes, and the iſſue of negroes, and to reſtrain and limit ſuch grants and deviſes."

An act to intitle Ann Fleming, of the pariſh of St. Andrew, a free mulatto woman, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Alice Giles, of the pariſh of Kingſton, in the county of Surrey, and iſland of Jamaica, a free quadroon woman, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Theodore Leſſlie, Alexander Leſſlie, George Leſſlie, James Leſſlie, Ann Leſſlie, and Jean Leſſlie, free mulattoes, the reputed children of George Leſſlie, of the pariſh of Weſtmorland, eſquire, by Jean Leſſlie, a free negro woman, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to intitle Richard Clarke, of the pariſh of St. Catherine, and Roſe Clarke, of the pariſh of Port-Royal, free quadroons, to the ſame rights and privileges as Engliſh ſubjects, under certain reſtrictions.

An act to intitle Samuel Smith Facey, and Lydia Facey, Elizabeth Dorothy Facey, Mary Facey, and Phillis Facey, of the pariſh of St. Catherine, free mulattoes, the reputed ſon and daughters of Sampſon Facey, late of the ſame pariſh, eſquire, deceaſed; and Elizabeth Bagnold, Mary Bagnold, Thomas Bagnold, Suſanna Bagnold, Joſeph Bagnold, and John Bagnold, the reputed children of Thomas Bagnold, of the pariſh of Kingſton, eſquire, by the ſaid Lydia Facey, to the ſame rights and privileges with Engliſh ſubjects, under certain reſtrictions.

An act to enable Ralph Walker, of the parish of St. Ann, projector and engineer, to carry into execution his new-invented method of working of mills for grinding of sugar-canes.

An act to enable Ralph Walker, of the parish of St. Ann, projector and engineer, to carry into execution his new-invented machine for pulping and cleansing of coffee.

An act to secure to James Small, of the parish of Clarendon, planter, the exclusive right of carrying into execution his new-invented machine for working cotton-gins.

An act to enable William Brailsford, of the kingdom of Great-Britain, esquire, to take up a certain portion of the water of the Rio-Cobre, in the parish of St. Catherine, and to convey the same through a certain tract of land in the said parish, for the use and preservation of certain grass-pieces, in the possession of the said William Brailsford.

An act to authorize and enable the proprietor or proprietors of Savoy estate, in the parish of Clarendon, to take up, and return to its usual course, a stream of water from the river Mino, in the said parish, for the use of the said estate; and for other purposes herein mentioned.

An act to secure to William Roach, of the parish of Kingston, watchmaker, the exclusive right of carrying into execution his new-invented machine for raising water.

PUBLIC ACTS.

Anno 30 *Georgii* III.—1789.

1. AN ACT to empower the governor, lieutenant-governor, or commander in chief, of this island, to issue writs for the choice of members to serve in the assembly of the said island, in the room of such members who shall die during the recess of the assembly. *Rep.*
2. An act to give a recompense to persons that shall be unjustly vexed by writs of replevin.
3. An act for licensing hawkers and pedlars; and for applying the monies, to arise from granting such licenses, towards the support and maintenance of the poor of the parishes where such licenses are granted. *Rep.*
4. An act to explain and amend "An act for amending and keeping in repair the road leading from Pepper Plantation, in the parish of St. Elizabeth, to Savanna-la-Mar, in the parish of Westmorland; and for vesting in trustees the toll raised by a turnpike or turnpikes on the said road, for the purposes aforesaid;" and also for amending and keeping in repair the road leading from Savanna-la-Mar, in the parish of Westmorland, to Lucea, and Green-Island, in the parish of Hanover; and for vesting in trustees the toll raised by a turnpike or turnpikes on the said road. *Exp.*
5. An act for raising several sums of money, and applying the same to several uses. *Exp.*
6. An act for laying a duty on tonnage, and applying the same to the use of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of "An act for granting a revenue to his majesty, his heirs and successors, for the support of the government of this island; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchase gunpowder, under certain regulations. *Exp.*

7. An

7. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

8. An act to enable his honour Alured Clarke, eſquire, lieutenant-governor and commander in chief of this iſland, or the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time. *Exp.*

9. An act to ſecure to his majeſty's troops, that now are or hereafter may be quartered in this iſland, for the protection thereof, to the number for which the faith of the country ſtands pledged, the ſubſiſtence they now receive, on certain conditions.

10. An act for eſtabliſhing, diſciplining, and regulating, the militia; for aſcertaining who ſhall compoſe future councils of war; and for other purpoſes reſpecting the ſaid militia." *Rep.*

11. An act for repealing ſo much of an act of this iſland, paſſed in the year of our Lord one thouſand ſeven hundred and eleven, entitled, "An act for regulating fees," as eſtabliſhes the fees of the collector, naval officer, ſecretary, and receiver-general, for entering and clearing all veſſels trading to and from this iſland; and for regulating the fees of the ſeveral officers concerned in entering and clearing all ſuch veſſels; and for making certain proviſions for the better management of the offices therein mentioned. *Exp.*

12. An act to encourage the importation of horſes from Great-Britain, by granting a purſe to be run for in each county; and to allow a bounty on neat cattle imported into this iſland from England or Ireland. *Exp.*

13. An act to prevent the burying the dead in the churches of this iſland; and to enable the juſtices and veſtry of certain pariſhes to purchaſe lands for burial-grounds.

14. An act to explain and amend an act entitled, "An act for repealing certain clauſes of 'An act for repealing an act entitled, "An act for the better diſcovering and collecting the arrears of his majeſty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due;" and for the better diſcovering, aſcertaining, and collecting, ſuch arrears; and for the more effectual collecting the quit-rents hereafter to become due;' and for the more eaſy and effectual collecting, as well the arrears of his majeſty's quit-rents, as the quit-rents hereafter to become due to his majeſty."

15. An act to enable the directors of the Bath of St. Thomas the Apoſtle to grant certain lots and parcels of the Bath land in fee; and for other purpoſes.

16. An act for laying a duty on all wines, and upon brandy, gin, rum, and other diſtilled ſpirits, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of brandy, gin, rum, and other diſtilled ſpirits, and on the public offices; and for applying the ſame to ſeveral uſes. *Exp.*

17. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

18. An act to appoint commiſſioners to inſpect the books of the receiver-general,

ral, and to ſettle and adjuſt the public accounts. *Exp.*

19. An act for the more ſpeedy collection of the public taxes, and the arrears thereof now due. *Exp.*

20. An act to authorize certain commiſſioners, therein to be named, to compile, print, and publiſh, the ſeveral public acts of aſſembly of this iſland; and for declaring the acts, ſo publiſhed by the ſaid commiſſioners, to be evidence in all caſes whatſoever.

21. An act for appointing commiſſioners for purchaſing a ſufficient quantity of land, on the north ſide of the public parade in the town of St. Jago de la Vega, whereon to fix the ſtatue of lord Rodney, and to erect one or more offices and buildings for holding and better preſerving the public records. *Rep.*

22. An act for granting an additional ſalary to his excellency Thomas earl of Effingham, captain-general, governor, and commander in chief, during his adminiſtration. *Exp.*

23. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

PRIVATE ACTS.

Anno 30 *Georgii* III.

An act to intitle Grace Elizabeth Robertſon, of the pariſh of Kingſton, in the county of Surrey, in the ſaid iſland, a free quadroon woman, and her ſeveral children, Sarah Stiles, Cuthbert Thornhill, Anne Robertſon Gibbes, Walter Gibbes, and Catherine Swainſon, free muſtees, to the ſame rights and privileges as Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to intitle Catherine Thomſon, of the pariſh of Kingſton, in the county of Surrey, in the ſaid iſland, a free quadroon woman, to the ſame rights and privileges as Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to enable George Leſſlie, of the pariſh of Weſtmorland, eſquire, to ſettle and diſpoſe of his eſtate, both real and perſonal, in this iſland, by deed or will, in ſuch manner as he ſhall think proper, in favour of his natural children, Theodore Leſſlie, Alexander Leſslie, George Leſſlie, James Leſſlie, Ann Leſſlie, and Jean Leſſlie, free mulattoes, and their iſſue, notwithſtanding an act of the governor, council, and aſſembly of this iſland, entitled, "An act to prevent the inconveniencies ariſing from exorbitant grants and deviſes made by white perſons to negroes, and the iſſue of negroes, and to reſtrain and limit ſuch grants and deviſes."

An act to intitle Frances Pedder, of the pariſh of Kingſton, in the county of Surrey, in the ſaid iſland, a free quadroon woman, and her ſeveral children, James Ellis, Richard Ellis, Elizabeth Jane Campbell, Edward Rowley, and Joſhua Rowley, free muſtees, to the ſame rights and priviileges as Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act for enabling Iſaac Laſcelles Winn, of the pariſh of St. James, eſquire, his executors, adminiſtrators, or aſſigns, to carry into execution his new-invented principle of manufacturing ſugar, and diſtilling rum, with a much ſmaller quantity of fuel, and for ſupplying water.

An act to intitle Sarah Wallace, of the pariſh of Kingſton, a free mulatto woman, and Jane Frazier and Elizabeth Delpratt, free quadroons, the daughters of the ſaid Sarah Wallace, and Michael Parker, Hannah Parker, Samuel Delpratt

pratt Campbell, and John Delpratt Campbell, free muſtees, the children of Sarah Delpratt, deceaſed, one other of the daughters of the ſaid Sarah Wallace, and William Steele, John Steele, Jane Steele, and Thomas Charles Cadogan, free muſtees, the children of the ſaid Jane Frazier, and Eleanor Delpratt Allardyce, Martha Delpratt Allardyce, and Mary Donaldſon, free muſtees, the children of the ſaid Elizabeth Delpratt, to the ſame rights and privileges as Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to intitle William Sylveſter, George Sylveſter, Edward Sylveſter, Elizabeth Sylveſter, Sarah Sylveſter, Margaret Sylveſter, Mary Sylveſter, and Martha Sylveſter, of the pariſh of St. James, free mulattoes, and Edward Martin, Frances Martin, Elizabeth Martin, and Jane Martin, free quadroons, the children of the ſaid Sarah Sylveſter, Henry Gibbs, a free quadroon, the ſon of the ſaid Margaret Sylveſter, and Henry Ward, a free quadroon, the ſon of the ſaid Martha Sylveſter, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to enable James Small, of the pariſh of Clarendon, carpenter, to carry into execution his new invented method of working of mills for grinding of ſugar-canes.

PUBLIC ACTS.

Anno 31 *Georgii* III.—1790.

1. AN ACT for raiſing and fitting out parties for the ſuppreſſing any rebellion in this iſland, during the continuance of this act. *Exp.*
2. An act for the prevention of indebted perſons from departing this iſland in time of martial law; and to empower the judges and juſtices to exerciſe their ſeveral offices in certain caſes; and to empower the juſtices and veſtry, and churchwardens, and ſurveyors of highways, to diſcharge their ſeveral duties; and to enable landlords to diſtrain for rent, notwithſtanding martial law. *Exp.*
3. An act to encourage perſons to keep veſſels for tranſporting goods about this iſland, and to prevent abuſes being committed by the maſters or commanders of ſuch veſſels; and to regulate wharfingers and others ſhipping ſuch goods.
4. An act to declare that an act of the Engliſh parliament, which paſſed in the ſecond year (commonly called the firſt) of the reign of James the firſt, entitled, "An act for new executions to be ſued "againſt any which ſhall hereafter be "delivered out of execution by privi- "lege of parliament, and for diſcharge "of them out of whoſe cuſtody ſuch "perſon ſhall be delivered," is in force in this iſland.
5. An act to revive and continue an act entitled, "An act for eſtabliſhing public workhouſes in the ſeveral pariſhes in this iſland." *Exp.*
6. An act to repeal an act entitled, "An act for the better aſcertaining and collecting the tranſient tax of the town of Montego-Bay, in the pariſh of St. James;" and for the better carrying the intention of the ſaid laſt-mentioned act into effect.
7. An act for laying a duty on all wines, and upon brandy, gin, rum, and other diſtilled ſpirits, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of brandy, gin, rum, and other diſtilled ſpirits, and on the public offices, and for applying the ſame to ſeveral uſes. *Exp.*
8. An act for raiſing ſeveral ſums of money,

mey, and applying the ſame to ſeveral uſes. *Exp.*

9. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

10. An act to repeal two ſeveral acts of this iſland, one entitled, "An act for appointing commiſſioners for ordering and inſpecting the works in and about the forts, fortifications, and barracks of this iſland;" the other entitled, "An act to add commiſſioners to thoſe already appointed for carrying on the works in and about the forts, fortifications, and barracks of this iſland, and to thoſe already appointed for building, finiſhing, and repairing, the public edifice in St. Jago de la Vega;" and for appointing commiſſioners for forts, fortifications, and public buildings. *Exp.*

11. An act for indemnifying ſuch perſons as have acted for the ſervice of the public, in adviſing or carrying into execution his majeſty's proclamation, iſſued by his excellency the governor, dated the ſixth day of July, in the preſent year of our Lord one thouſand ſeven hundred and ninety, laying an embargo on all ſhips and veſſels within the ſeveral ports and harbours of this iſland; and alſo his majeſty's proclamation, iſſued by his excellency the governor, dated the third day of Auguſt, in the preſent year of our Lord one thouſand ſeven hundred and ninety, renewed the fifteenth day of September, and again the twenty-fifth day of October, prohibiting the exportation of all manner of arms and ammunition, naval and military ſtores; and for preventing ſuits in conſequence of ſaid embargoes; and to enable his excellency Thomas earl of Effingham, captain-general, governor, and commander in chief, or the governor or commander in chief, for the time being, to iſſue his majeſty's royal proclamation, in time of war, prohibiting the exportation of all manner of arms and ammunition, naval and military ſtores, from this iſland.

12. An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations. *Exp.*

13. An act to enable his excellency Thomas earl of Effingham, captain-general, governor, and commander in chief of this iſland, or the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time. *Exp.*

14. An act to appoint commiſſioners to inſpect the books of the receiver-general, and to ſettle and adjuſt the public accounts. *Exp.*

15. An act to revive and continue an act entitled, "An act for regulating the proceedings of ſurveyors of land; and for the better regulating and eſtabliſhing their fees." *Rep.*

16. An act for continuing ſo much of the preſent law, commonly called the poll-tax law, as relates to the tax on trades, ſupercargoes, and maſters of veſſels, for two months longer. *Exp.*

17. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be

be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

18. An act to explain and amend an act entitled, "An act to explain and amend an act entitled, 'An act for repealing certain clauſes of "An act for repealing an act entitled, 'An act for the better diſcovering and collecting the arrears of his majeſty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due;" and for the better diſcovering, aſcertaining, and collecting, ſuch arrears; and for the more effectual collecting the quit-rents hereafter to become due;' and for the more eaſy and effectual collecting, as well the arrears of his majeſty's quit-rents, as the quit-rents hereafter to become due to his majeſty."

19. An act to prevent horſe-ſtealing; and for preventing the ſtealing and deſtroying of ſheep, goats, and other cattle.

20. An act for the eaſe and relief of jurors and ſuitors of the ſupreme and certain other courts within this iſland. *Exp.*

21. An act to repeal the ſeveral acts therein mentioned; and for conſolidating into one act all the laws relating to the highways. *Rep.*

22. An act to repeal an act, paſſed the eighteenth day of December laſt, entitled, "An act to revive and continue an act entitled, 'An act for regulating the proceedings of ſurveyors of land; and for the better regulating and eſtabliſhing their fees;" and for regulating the proceedings of ſurveyors of land; and for the better regulating and eſtabliſhing their fees.

23. An act to explain and amend an act entitled, "An act for the further relief of inſolvent debtors, impriſoned for debt. *Exp.*

24. An act to alter, amend, and explain, the eighth [*now the ſixth*] clauſe of an act of the governor, council, and aſſembly, of this iſland, entitled, "An act for eſtabliſhing courts, and directing the marſhal's proceedings."

25. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

26. An act for the more ſpeedy collection of the public taxes, and the arrears thereof now due. *Exp.*

PRIVATE ACTS.

Anno 31 *Georgii* III.

An act to ſecure to John Reeder, eſquire, his executors, adminiſtrators, and aſſigns, the benefit to ariſe from his diſcovery and invention of a varniſh for copper, and his introduction of the diſcovery of jointing the ſeams of copper, and making the ſame water-tight without ſolder.

An act to authorize and enable George Bedward, of the pariſh of Weſtmorland, eſquire, to ſettle and diſpoſe of his eſtate, both real and perſonal, in this iſland, by deed or will, in ſuch manner as he ſhall think proper, in favour of his natural grandſon, George James Bedward, a free quadroon, and his iſſue, notwithſtanding an act of the governor, council, and aſſembly, of this iſland, entitled, "An act to prevent the inconveniencies ariſing from exorbitant grants and deviſes made by white perſons to negroes, and the iſſue of negroes, and to reſtrain and limit ſuch grants and deviſes."

An act to intitle George James Bedward, a free quadroon, the reputed grandſon

of George Bedward, of the parish of Westmorland, esquire, to the same rights and privileges with English subjects, born of white parents, under certain restrictions.

An act to enable Daniel Siddon, of the parish of Westmorland, mason, to carry into execution his new-invented method of hanging of coppers, for boiling of cane-juice, and manufacturing of sugar.

An act to intitle Frances Bowen Baker, of the parish of Westmorland, a free mustee woman, and Robert Bowen Baker, John Wedderburn Baker, James Wedderburn Baker, Francis Bowen Baker, William Baker, George Brydges Rodney Baker, Jane Baker, and Frances Baker, free mustees, the children of the said Erances Bowen Baker, to the same rights and privileges with English subjects, born of white parents, under certain restrictions.

An act to intitle Mary Blake, of the parish of Kingston, a free mulatto woman, and James Blake and John Blake, free mulatto men, the reputed sons and daughter of Nicholas Blake, late of the parish of St. Elizabeth, esquire, deceased; and Margaret Dunbar, a free quadroon woman, the daughter of the said Mary Blake; and Sabina Eleanor Tierney, Margaret Robertson, Francis William Robertson, and Mary Ann. Robertson, the infant children of the said Margaret Dunbar, to the same rights and privileges with English subjects, born of white parents, under certain restrictions.

An act to intitle Thomas M'Ghie and Mary M'Ghie, free mulattoes, the reputed children of Robert M'Ghie, of the parish of Trelawny, esquire, by Sarah M'Ghie, a free negro woman, to the same rights and privileges with English subjects, born of white parents, under certain restrictions.

PUBLIC ACTS.

Anno 32 *Georgii* III.—1791.

1. AN ACT for granting an additional salary to his honour Adam Williamson, esquire, lieutenant-governor and commander in chief, during his administration. *Exp.*
2. An act to explain, amend, and render more effectual, "An act to augment the salary of his excellency George Haldane, esquire; and for providing certain lands and premises to be annexed to the government, for the use of the governor for the time being." *Exp.*
3. An act for appointing Stephen Fuller, esquire, agent in Great-Britain, to solicit the passing of laws, and for transacting in Great-Britain other public affairs of this island; and for empowering the members of his majesty's council, the speaker and the members of the assembly, for the time being, resident in this island, from time to time, as occasion shall require, to give instructions for such his management. *Exp.*
4. An act to repeal "An act for the better order and government of the negroes belonging to the several negro-towns, and for preventing them from purchasing of slaves; and for encouraging the said negroes to go in pursuit of runaway slaves; and for other purposes therein mentioned;" and for giving the maroon negroes further protection and security; for altering the mode of trial; and for other purposes.
5. An act to authorize and empower the justices and vestry of the several parishes of this island to make and erect pounds, for the better securing of all strays of horses, mares, mules, asses, and

and horned cattle, belonging to the inhabitants of this iſland. *Exp.*

6. An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes. *Exp.*

7. An act to explain and amend an act entitled, " An act to repeal an act entitled, ' An act for building a bridge over the Rio-Cobre;' and for building a bridge over the Rio-Cobre, in the pariſh of St. Catherine; and for other purpoſes therein mentioned;" and for adding commiſſioners to thoſe already made a body corporate for building a bridge over the Rio-Cobre, in and by three acts, one paſſed in the year one thouſand ſeven hundred and ſeventy-five, one paſſed in the year one thouſand ſeven hundred and ſeventy-ſix, and the other in the year one thouſand ſeven hundred and eighty-four; and for the appropriation of the ſum of one thouſand pounds yearly, out of the tolls and duties laid and required to be paid under and by virtue of the ſaid acts, and to lay out the ſame on the road leading from the town of St. Jago de la Vega to the tavern at the Bog-Walk; and for other purpoſes in the ſaid act mentioned; and for adding commiſſioners to the ſaid act.

8. An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder, payable on tonnage, by virtue of an act entitled, " An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland, and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain reſtrictions. *Exp.*

9. An act to enable his honour Adam Williamſon, eſquire, lieutenant-governor and commander in chief, or the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time. *Exp.*

10. An act to regulate the militia; to repeal certain acts and clauſes of acts relating to the ſaid militia; to aſcertain who ſhall compoſe future councils of war; and for other purpoſes. *Exp.*

11. An act for eſtabliſhing public workhouſes in the ſeveral pariſhes in this iſland.

12. An act declaring that the proclaiming martial law hath not made, nor ſhall make at any time or times hereafter, a diſcontinuance of ſuits and proceſs at the common law; and to give effect to recogniſances reſpited, taken, or returnable, at or to the ſupreme court of judicature of this iſland, and to prevent an undue priority being had or obtained of judgments of the laſt November grand court, and the next Surrey aſſizes in January, over judgments to be obtained at the aſſizes to be holden for the county of Cornwall, on the laſt Tueſday in March, in the next year.

13. An act to repeal an act entitled, " An act for licenſing hawkers and pedlars; and for applying the monies to ariſe from granting ſuch licenſes towards the ſupport and maintenance of the poor of the pariſhes where ſuch licenſes are granted;" and for prohibiting the practice of hawking and pedling within the pariſhes of this iſland.

14. An act to regulate the fees of the governor's ſecretary. *Exp.*

15. An act for laying a duty on all wines,

and upon brandy, gin, rum, and other diſtilled ſpirits, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of brandy, gin, rum, and other diſtilled ſpirits, and on the public offices; and for applying the ſame to ſeveral uſes. *Exp.*

16. An act for continuing ſo much of the preſent law, commonly called the poll-tax law, as relates to the tax on trades, ſupercargoes, and maſters of veſſels, for three months longer. *Exp.*

17. An act for the further regulation of the ſervice and execution of proceſs, and the returns thereof, and rendering the duty of jurors more equal; for empowering the ſupreme court of judicature to grant ſpecial juries, and alſo commiſſions for the examination of witneſſes *de bene eſſe*, directed to ſuch perſons as they ſhall think fit; for repealing an act, paſſed in the year of our Lord one thouſand ſeven hundred and ſeventy-nine, entitled, "An act empowering any one of the judges of the ſupreme court of judicature to take the examination of witneſſes leaving this iſland, in any action brought, or to be brought, for the recovery of debts actually in ſuit, in the ſame manner as if ſuch examination had been taken and returned under the ſeal of the city of London, purſuant to an act of parliament paſſed in the fifth year of the reign of George the ſecond;" and for empowering the judges of the ſaid ſupreme court of judicature to take the examination of witneſſes leaving the iſland, during the vacation between the ſitting of the ſaid ſupreme court; for granting a daily ſubſiſtence to crown witneſſes confined in gaol for want of ſecurity; and for other purpoſes in the ſaid act mentioned. *Exp.*

18. An act for eſtabliſhing and declaring rules and articles of war. *Exp.*

19. An act for the more ſpeedy collection of the public taxes, and the arrears thereof now due. *Exp.*

20. An act for granting pay, or otherwiſe ſubſiſting the non-commiſſioned officers and privates of the militia, during martial law; and for other purpoſes. *Exp.*

21. An act to appoint commiſſioners to inſpect the books of the receiver-general, and to ſettle and adjuſt the public accounts. *Exp.*

22. An act to revive and continue an act entitled, "An act to repeal an act entitled, 'An act to repeal ſeveral acts, and clauſes of acts, reſpecting ſlaves; and for the better order and government of ſlaves; and for other purpoſes;' and alſo to repeal the ſeveral acts, and clauſes of acts, which were repealed by the act entitled as aforeſaid; and for conſolidating, and bringing into one act, the ſeveral laws relating to ſlaves; and for giving them further protection and ſecurity; for altering the mode of trial of ſlaves charged with capital offences; and for other purpoſes." *Rep.*

23. An act to repeal an act entitled, "An act to repeal ſeveral acts, and clauſes of acts, reſpecting ſlaves; and for the better order and government of ſlaves; and for other purpoſes;" and alſo to repeal the ſeveral acts, and clauſes of acts, which were repealed by the act entitled as aforeſaid; and for conſolidating, and bringing into one act, the ſeveral laws relating to ſlaves; and for giving them further protection and ſecurity; for altering the mode of trial of ſlaves charged with capital offences; and for other purpoſes. *Exp.*

24. An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white

women,

women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections. *Exp.*

25. An act for appointing commiſſioners for purchaſing a ſufficient quantity of land for enlarging the barrack in the town of St. Jago de la Vega.

26. An act to regulate the ſales of newly-imported negroes; and to prevent, as far as poſſible, the ſeparation of different branches of the ſame family. *Rep.*

27. An act to declare that an act of the Engliſh parliament, which paſſed in the ninth and tenth years of the reign of William the third, chapter 41, entitled, "An act for the better preventing the "embezzlement of his majeſty's ſtores "of war; and preventing cheats, frauds, "and abuſes, in paying ſeamens wages," is to be in force in this iſland.

28. An act to authorize and empower his honour Adam Williamſon, eſquire, and the commiſſioners named and appointed in and by an act of the governor, council, and aſſembly of this iſland, paſſed in the year of our Lord one thouſand ſeven hundred and fifty-nine, entitled, "An act to augment the ſalary of his excellency George Haldane, eſquire; and for providing certain lands and premiſes to be annexed to the government, for the uſe of the governor for the time being," to leaſe out part of the ſaid lands and premiſes. *Obſ.*

29. An act to authorize and empower certain commiſſioners therein named, to collect, print, and publiſh, all ſuch public acts of this iſland as have been paſſed ſince the thirty-firſt day of December, one thouſand ſeven hundred and ninety, and are now in force, and likewiſe, from time to time, to collect, print, and publiſh, all ſuch other public acts of this iſland as may hereafter be paſſed; and for declaring the acts, ſo publiſhed, to be evidence in all caſes whatſoever.

30. An act for building a ſtone bridge over the Rio Cobre, in the pariſh of St. Catherine.

31. An act to put the fort at Montego-Bay, in the pariſh of St. James, upon the iſland eſtabliſhment.

32. An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes. *Exp.*

33. An act to repeal an act entitled, "An act to regulate the ſales of newly-imported negroes; and to prevent, as far as poſſible, the ſeparation of different branches of the ſame family;" and to regulate the ſales of newly-imported negroes; and to prevent, as far as poſſible, the ſeparation of different branches of the ſame family.

34. An act to prohibit the purchaſing, hiring, or employing, certain foreign ſlaves, except as therein mentioned. *Exp.*

35. An act to enable his honour Adam Williamſon, eſquire, lieutenant-governor, or the governor or commander in chief for the time being, to take ſlaves from the ſeveral workhouſes of this iſland, for certain purpoſes, and on certain conditions.

36. An act for raiſing an additional tax by the poll, for the pay and ſubſiſtence of lieutenant-colonel Gardner's regiment of light dragoons; and for other purpoſes in the ſaid act mentioned. *Exp.*

PRIVATE ACTS.

Anno 32 *Georgii* III.

An act for authorizing the ſurviving truſtee, in a ſettlement made ſubſequent to the marriage of James Pinnock, eſquire, and Elizabeth his wife, to poſtpone the raiſing of a certain ſum of money therein mentioned, until after the deceaſe of the ſaid James Pinnock; and for enabling the ſaid James Pinnock, and Elizabeth his wife, and the ſurvivor of them, to appoint other truſtees.

An act for diſpenſing with an act entitled, "An act to prevent the burying the dead in the churches of this iſland; and to enable the juſtices and veſtry of certain pariſhes to purchaſe lands for burial-grounds;" and to indemnify the reverend Robert Stanton Woodham, rector of the pariſh of St. Catherine, againſt the pains and penalties of the ſaid act, for having permitted the remains of his excellency Thomas earl of Effingham to be interred in the church of the ſaid pariſh.

An act for diſpenſing with an act entitled, "An act to prevent the burying the dead in the churches of this iſland; and to enable the juſtices and veſtry of certain pariſhes to purchaſe lands for burial-grounds;" and to indemnify the reverend Robert Stanton Woodham, rector of the pariſh of St. Catherine, againſt the pains and penalties of the ſaid act, for having permitted the remains of Catherine counteſs of Effingham to be interred in the church of the ſaid pariſh.

An act to intitle Suſanna Freeman Ripley, Ann Freeman Ripley, Mary Freeman Ripley, and Elizabeth Freeman Ripley, of the pariſh of St. Andrew, free mulattoes, and Frances Ripley Edie, Thomas Edie, Ebenezer Edie, Alexander Edie, and Ann Edie, the reputed children of Ebenezer Edie, of the pariſh of Kingſton, gentleman, by the ſaid Elizabeth Freeman Ripley, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to intitle Frances Green, Elizabeth Ann Green, Sarah Green, Margaret Green, Ann Darby Green, Catherine Green, Daniel Green, and John Henry Green, free mulattoes, the reputed children of Daniel Rodrigues Cardoſo, of the pariſh of Kingſton, merchant, by Ann Darby, a free black woman, late of the ſame place, deceaſed, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to enable John Hiatt, of the pariſh of St. Ann, eſquire, to ſettle and diſpoſe of his eſtate, both real and perſonal, in this iſland, by deed or will, in ſuch manner as he ſhall think proper, in favour of his reputed children and grand-children, and their iſſue, notwithſtanding an act of the governor, council, and aſſembly of this iſland, entitled, "An act to prevent the inconveniencies ariſing from exorbitant grants and deviſes made by white perſons to negroes, and the iſſue of negroes, and to reſtrain and limit ſuch grants and deviſes."

An act to intitle Charles M'Dermott, Mary M'Dermott, Catherine M'Dermott, Frances M'Dermott, Francis M'Dermott, James M'Dermott, and Elizabeth M'Dermott, free mulattoes, the reputed children of Charles M'Dermott, of the pariſh of St. Ann, eſquire, by Mary Cyrus, a free black woman, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

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An act for releaſing and diſcharging Joſeph Cuthbert, eſquire, from the truſts contained in the indenture or deed of marriage-ſettlement of Lewis Cuthbert and Jane his wife, and ſubſequent deed, of date the 16th day of May, 1780; and for appointing other truſtees, and veſting in them the ſlaves and ſecurities for money mentioned in the ſaid deed of ſettlement, and ſubſequent deed, upon the ſame truſts as are therein contained.

An act to intitle Patience Hermitt, of the pariſh of St. Catherine, a free mulatto woman, and her ſeveral children, named Mary Hermitt, Benjamin Hume Hermitt, William Hermitt, and Ann Hermitt, free quadroons, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act to intitle Suſannah Young, of the pariſh of St. Elizabeth, a free mulatto woman, and her ſeveral children, named William Salmon, John Salmon, Charles Salmon, Edward Salmon, Sarah Salmon, Ann Salmon, and Suſannah Young Salmon, free quadroons, to the ſame rights and privileges with Engliſh ſubjects, born of white parents, under certain reſtrictions.

An act for diſpenſing with an act entitled, "An act to prevent the burying the dead in the churches of this iſland; and to enable the juſtices and veſtry of certain pariſhes to purchaſe lands for burial-grounds;" and to indemnify the reverend David Fullerton, the preſent rector of the pariſh of St. Ann, or the rector of the ſaid pariſh for the time being, againſt the pains and penalties of the ſaid act, for permitting the remains of captain William Affleck, late of his majeſty's ſhip Blonde, to be removed from the church-yard, and interred within the walls of the church of the ſaid pariſh,

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THE

LAWS

OF

JAMAICA.

Anno regni Georgii tertii primo.

CAP. I.

An act for raising a voluntary party, to suppress the present rebellion in the leeward parishes of this island.—[7th October, 1760.] EXPIRED.

CAP. II.

An act for appointing Lovel Stanhope, esquire, agent in Great-Britain, to solicit the passing of laws, and other public affairs of this island; and empowering certain members of the council and assembly, during the intervals of assembly, from time to time, as occasion shall be, to give instructions for such his management.—[7th October, 1760.] EXPIRED.

CAP. III.

An act for continuing an act, entitled, "An act for the further regulation of the service and execution of process, and the returns thereof, and other purposes relating EXPIRED;

lating to the ſervice of jurors, and rendering the ſame a more equal duty; and for the proof of ſervice of actions at the ſuit of the provoſt-marſhal."—[7th October, 1760.]

CAP. IV.

EXPIRED. *An act for prevention of indebted perſons from departing this iſland in the time of martial law; and to empower the judges and juſtices to exerciſe their ſeveral offices in certain caſes; and to empower the juſtices and veſtry, and churchwardens, and ſurveyors of highways, to diſcharge their ſeveral duties; and to enable landlords to diſtrain for rent, notwithſtanding martial law.*—[7th October, 1760.]

CAP. V.

An act to veſt in trustees a piece or parcel of land, in the parish of St. Elizabeth, to be ſold for the use of the ſaid parish; and, with the money arising from ſuch ſale, to purchaſe other lands for the use of the parſonage there. [30th October, 1760.]

Preamble. WHEREAS George Raxtead and Francis Smith, eſquires, the preſent churchwardens of the ſaid pariſh of St. Elizabeth, in right of their ſaid office, and to the uſe of the ſaid pariſh, are poſſeſſed of and intitled unto a certain piece or parcel of land at Black-River, in the ſaid pariſh, containing about one third part of half an acre of land, with a tenement and buildings thereon, and now or late in the tenure or occupation of Jacob Albuquerque, ſhopkeeper: And whereas, the ſaid piece of land and premiſes is but of very little uſe or benefit to the ſaid pariſh; but, by the ſale thereof, money may be raiſed and laid out in the purchaſe of mountain-land, contiguous to the glebe land, for raiſing proviſions for the ſupport of the negroes belonging to the parſonage of ſaid pariſh, which is now procured at great expence, there being no land belonging thereto for that purpoſe: And whereas ſuch ſale and purchaſe cannot be effectually made without the aid and aſſiſtance of the legiſlature: May it therefore please your moſt excellent majeſty, at the humble ſuit of the juſtices, churchwardens, rector, and veſtrymen, of the ſaid pariſh, that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's ſaid iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That the ſaid piece of land and premiſes be, and the ſame is hereby, veſted in John Olyphant, Henry Gale, Robert Delap, George Raxtead, and Francis Smith, eſquires, and their heirs and aſſigns, for ever; upon this ſpecial truſt and confidence nevertheleſs, and to the intent and purpoſe, that the ſaid John Olyphant, Henry Gale, Robert Delap, George Raxtead, and Francis Smith, or any two of them, ſhall or may, by any deed or deeds in the law, duly ſealed

Above-deſcribed land veſted in truſtees to be ſold.

ſealed and delivered by them, or any two of them, abſolutely grant, bargain, ſell, convey, and confirm, the ſaid piece or parcel of land, and buildings thereon, with the premiſes, ſo as aforeſaid hereby veſted in them, their heirs and aſſigns, and the fee-ſimple and inheritance, unto one or more purchaſer or purchaſers, for the beſt price that can be got for the ſame; which the ſaid John Olyphant, Henry Gale, Robert Delap, George Raxtead, and Francis Smith, or any two of them, are hereby enabled, authorized, and empowered, to grant, bargain, ſell, and convey, as aforeſaid; and the heirs or aſſigns of ſuch purchaſer or purchaſers, ſhall and may ſecurely hold and enjoy the ſaid land and premiſes, with the appurtenances, by virtue of this act.

Title given by them to be valid to the purchasers, and their heirs and assigns.

II. And it is further enacted by the authority aforeſaid, That all and every the receipt and receipts which ſhall be given by the ſaid John Olyphant, Henry Gale, Robert Delap, George Raxtead, and Francis Smith, or any two of them, for the ſale of ſaid land and premiſes ſo as aforeſaid veſted, to ſuch purchaſer or purchaſers for the purchaſe-money which ſhall be actually paid for the ſame, ſhall be good and ſufficient diſcharges, both in law and equity, to ſuch purchaſer or purchaſers for the ſame.

Receipt of trustees to be a sufficient discharge.

III. And be it further enacted by the authority aforeſaid, That the ſaid John Olyphant, Henry Gale, Robert Delap, George Raxtead, and Francis Smith, or any two of them, do and ſhall, and they are hereby directed and required to, apply the money ariſing from ſuch ſale of ſaid land and premiſes in the purchaſe of mountain-land, in the ſaid pariſh of St. Elizabeth, for the uſe and benefit of the preſent incumbent and his ſucceſſors, for proviſion-ground for the negro ſlaves belonging to the parſonage of ſaid pariſh of St. Elizabeth, and for no other uſe whatſoever: Saving to the king's moſt excellent majeſty, his heirs and ſucceſſors, and to all bodies politic and corporate, and to their reſpective ſucceſſors, and to all and every other perſon and perſons whatſoever, his and their heirs, executors, and adminiſtrators (except the ſaid George Raxtead and Francis Smith, and their ſucceſſors, churchwardens as aforeſaid), all ſuch right, title, intereſt, claim, and demand whatſoever, of, in, or to, the ſaid land and premiſes herein directed to be ſold, or any part thereof, as they, or any of them, had, either in law or equity, at the time of making this act, or might or could have ſo had if this act had never been made: Provided always, That this act, or any clauſe, article, or thing, herein contained, ſhall not take place, or be of any force or effect, until the ſame ſhall have received your majeſty's royal approbation; any law, cuſtom, or uſage, to the contrary notwithſtanding.

Application of purchase-money.

Saving rights.

This act not to take place, till confirmed.

CAP. VI.

An act to encourage the breed of good and large horſes.—[30th October, 1760.] EXPIRED.

CAP. VII.

EXPIRED. *An act for raiſing and fitting out parties, for ſuppreſſing the preſent or any future rebellion in this iſland, during the continuauce of this act.*—[30th October, 1760.]

CAP. VIII.

EXPIRED. *An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of the regiment of foot, of which George Walſh, eſquire, is colonel.*—[30th October, 1760.]

CAP. IX.

OBSOLETE. *An act to enable the judges of the ſupreme court of judicature to iſſue a* venire, *and other proceſs, for the next November court; and empowering the provoſt-marſhal to execute the ſame, notwithſtanding the martial law.*—[14th November, 1760.]

CAP. X.

EXPIRED. *An act for declaring and eſtabliſhing rules and articles of war.*—[14th November, 1760.]

CAP. XI.

EXPIRED. *An act for making a turnpike-road from that part of Pindar's River called Graham's, in the pariſh of Clarendon, to the king's highway, leading through Bodle's Pen, to Old-Harbour, in the pariſh of St. Dorothy.*—[28th November, 1760.]

CAP. XII.

EXPIRED. *An act to enable the juſtices and veſtry of the pariſhes of St. Catherine and St. Mary, more effectually to repair the highways in the ſaid pariſhes.*—[28th November, 1760.]

CAP. XIII.

An act for the better and more certain recovery of fines, forfeitures, and other debts, due to his majesty.

[28th November, 1760.]

Preamble. WHEREAS, by divers acts of the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, it has been provided, That the eſtreats of all fines, forfeitures, and amerciaments, impoſed or to be impoſed in the ſeveral courts of record within this iſland (part of your majeſty's revenue), ſhould be certified by the proper officers, in order that the ſame might be levied and paid to the receiver-general of this iſland; but the ſaid laws have been found, by experience, to be ineffectual for the purpoſes intended by them, and many abuſes have been committed in making out ſuch eſtreats, and in collecting and paying over the money ſo eſtreated, to the great diminution of that branch of your majeſty's revenue: For remedy whereof, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica,

maica, humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of the ſaid iſland, and it is hereby enacted by the authority of the ſame, That, from and immediately after the paſſing of this act, all fines, amerciaments, and recogniſances, ſum and ſums of money, paid or to be paid on account of, or in lieu and ſatisfaction of, the ſame or any of them, wherein his majeſty, or the royal revenue of this iſland, is intereſted, and which already are or hereafter ſhall be ſet, impoſed, or forfeited, in his majeſty's ſupreme court of judicature, or courts of aſſize, in this iſland, and not taken off or remitted by the judges of the ſaid reſpective courts during the ſitting of the ſame court, and not before eſtreated, ſhall be truly and faithfully eſtreated, and certified by the clerk of the crown for the time being to his majeſty's attorney-general for the time being, that proceſs may iſſue for levying the ſame, and to the receiver-general for the time being, within twenty days after the end of every ſupreme court next following every ſuch court of aſſize, or the time appointed for holding ſuch aſſize, by delivering to the ſaid attorney-general and receiver-general, reſpectively, true and perfect ſchedules or eſtreats, upon oath, as herein after is directed, of all ſuch fines, amerciaments, and forfeited recogniſances, and of all ſum and ſums of money, paid or to be paid on account of, or in lieu and ſatisfaction of, the ſame as aforeſaid, with the names and additions of all and every perſon and perſons charged with and liable to the ſame; upon pain that the clerk of the crown for the time being do and ſhall forfeit the ſum of one hundred pounds, current money of Jamaica, upon every failure or default that ſhall be made in certifying or delivering ſuch eſtreats as aforeſaid.

Clerk of the crown to certify eſtreats to the attorney-general;

and to the receiver-general, within twenty days after the ſupreme court.

In default, he is to forfeit 100*l.*

II. And be it further enacted by the authority aforeſaid, That, from henceforth, all and every the clerk and clerks of the peace for the time being, of and for the ſeveral and reſpective pariſhes and precincts in the ſaid iſland, within twenty days after the holding of every ſeſſions of the peace within the reſpective pariſhes and precincts aforeſaid, and all and every the clerk and clerks of the inferior courts for the time being, within twenty days after the holding of every ſuch inferior court, do and ſhall reſpectively make out, certify, and deliver, or cauſe to be delivered, unto the ſaid attorney-general, and receiver-general, true and perfect ſchedules or eſtreats, upon oath, of all and every the fines, amerciaments, and recogniſances, ſum and ſums of money, paid or to be paid on account of, or in lieu and ſatisfaction of, the ſame or any of them, which already are or hereafter ſhall or may be ſet, impoſed, or forfeited, in the ſaid ſeveral and reſpective ſeſſions of the peace and inferior courts, and every of them, and not taken off or remitted by the judges or juſtices of the ſame courts reſpectively during the ſitting of the ſame court, and not heretofore eſtreated, in like manner as the clerk of the crown is herein before required to make out, certify, and deliver, the eſtreats from the ſupreme court and courts of aſſize; upon pain that every clerk of the peace, and clerk of the inferior courts,

Clerks of the inferior courts to do the same,

or forfeit 50*l.*

courts, do and ſhall reſpectively forfeit the ſum of fifty pounds, like current money of Jamaica, for every failure or default that ſhall be made in certifying or delivering ſuch eſtreats as aforeſaid.

They are to attest their schedules.

III. And be it further enacted by the authority aforeſaid, That the clerk of the crown, clerks of the peace, or their lawful deputies, and clerks of the inferior courts, for the time being, and every of them, do and ſhall, before the delivery of any ſuch eſtreat or ſchedule, reſpectively take the following oath; that is to ſay,

The oath.

YOU *ſhall ſwear, that theſe eſtreats, now by you produced, are truly and carefully made up and examined; and that all fines, amerciaments, recogniſances, and forfeitures, and all ſum and ſums of money, paid on account or in lieu and ſatisfaction thereof, which were ſet, impoſed, or forfeited, and in right and due courſe of law ought to be eſtreated, are, to the beſt of your knowledge, underſtanding, and belief, therein contained; and that in the ſame eſtreats are expreſſed and ſet forth all ſuch fines, amerciaments, and forfeitures, as have been paid into court, and the name and names of ſuch perſon or perſons to whom the ſame were paid, without any wilful or fraudulent diſcharge, emiſſion, miſnomer, or other defect whatſoever. So help you God.*

By whom oath to be administered.

Which oath the judges of the ſupreme court for the time being are, or one of them is, required to adminiſter to the clerk of the crown; and the cuſtodes and juſtices for the time being, of the ſeveral pariſhes and precincts, are, or any one of them is, required to adminiſter to the reſpective clerks of the peace, or their lawful deputies, of their ſeveral and reſpective pariſhes and precincts; and the judges of the inferior courts for the time being are, or one of them is, required to adminiſter to their reſpective clerks, without fee or reward: And ſuch judge or judges, juſtice or juſtices, are ſeverally and reſpectively required to certify, upon every ſuch eſtreat, that the ſaid oath was duly adminiſtered, according to the form herein before preſcribed.

Judges to certify the taking the oath, on each estreat.

Clerks of each of the courts, if no fine set, or if those set be remitted,

IV. And be it further enacted by the authority aforeſaid, That in caſe no ſuch fine, amerciament, or recogniſance, ſhall be ſet, impoſed, or forfeited, in any or either of the ſaid ſupreme courts, courts of aſſize, ſeſſions of the peace, or inferior courts; or if all and every ſuch fines, amerciaments, or recogniſances, ſo ſet, impoſed, or forfeited, ſhall be remitted and taken off in the ſaid courts reſpectively, during the ſitting of the ſame; then the ſaid clerk of the crown, clerks of the peace, or their lawful deputies, and clerks of the inferior courts, do and ſhall reſpectively certify the ſame upon oath, as aforeſaid, unto the attorney-general and receiver-general, within the like ſpace of time as herein before is limited and appointed for delivering ſaid eſtreats; upon pain that the ſaid clerk of the crown, clerks of the peace, and clerks of the inferior courts, do reſpectively forfeit the ſum of fifty pounds,

to signify the same,

under penalty of 50*l.*

like

like current money of Jamaica, for every default of delivering ſuch certificate as aforeſaid.

Clerks not to conceal any fine, &c.

V. And be it enacted by the authority aforeſaid, That no clerk of the crown, clerk of the peace, or clerk of the inferior court, nor any officer or deputy under them reſpectively, do or ſhall ſpare, take off, diſcharge, reſpite, or wittingly or willingly conceal, any indictment, fine, iſſue, amerciament, forfeited recogniſance, or other forfeiture whatſoever, exhibited, ſet, impoſed, or forfeited, and not heretofore eſtreated, or that ſhall hereafter be exhibited, ſet, impoſed, or forfeited, in any of the courts before mentioned reſpectively, or before any of the judges or juſtices of the ſame, or any ſum or ſums of money paid or to be paid upon account thereof, or any part thereof, unleſs it be by order of ſuch court or courts reſpectively: And in caſe the officers before mentioned, or any of them, ſhall wittingly or willingly miſcertify, or falſely eſtreat, in the ſchedules or eſtreats ſo as aforeſaid to be delivered to the attorney-general and receiver-general reſpectively, any fine, forfeiture, amerciament, or recogniſance whatſoever, whereby the proceſs that ſhall be iſſued for levying the ſame, or any part thereof, may become invalid or of none effect, that then, in any or either of the ſaid caſes, the clerk or clerks ſo offending ſhall, for every ſuch offence, forfeit the ſum of fifty pounds, like current money of Jamaica, and ſhall alſo loſe his or their office and place, and be for ever rendered incapable of exerciſing the ſame.

unless by order of court.

Penalty of 50*l.* on falsely certifying any matters relating hereto,

as well as incapacitation.

Clerk of supreme court to give in a list of all judgments;

VI. And be it further enacted by the authority aforeſaid, That the clerk of the ſupreme court of judicature for the time being do and ſhall, from and after the paſſing of this act, within twenty days before the holding of every ſupreme court, certify and deliver to his majeſty's attorney-general and receiver-general, reſpectively, a ſchedule or liſt, containing true and perfect dockets of all judgments that ſhall be obtained as of the preceding ſupreme court, or any informations or *qui tam* action, wherein the whole or any part of the monies for which ſuch judgments ſhall be given ſhall belong to his majeſty, or be applicable to the revenue, or the contingent charges of the government of this iſland; and in ſuch liſts the ſaid clerk of the court ſhall diſtinguiſh what part or proportion of ſuch ſum or ſums of money, for which every ſuch judgment ſhall be given, doth belong to his majeſty; upon pain that the clerk of the ſupreme court of judicature ſhall, for every failure or default herein, forfeit the ſum of one hundred pounds, like current money of Jamaica.

and specify therein what share belongs to the crown, under penalty of 100*l.*

Provost-marshal, on the first Monday in every grand court, to deliver in a list of all process,

VII. And be it enacted by the authority aforeſaid, That the provoſt-marſhal-general of this iſland do and ſhall from henceforth, on or before the firſt Monday in every ſupreme court of judicature, deliver to his majeſty's attorney-general and receiver-general, reſpectively, a true and perfect liſt of all actions, writs, and proceſſes whatſoever, meſne or judicial, lodged

wherein his majesty has claim, to the attorney-general and receiver-general;

and, in three days thereafter, pay monies received;

under penalty of 200l.

lodged in his office, wherein his majesty, or the revenue of this island, are in any ways interested, together with a true copy of the returns thereto made, and of all monies and effects thereupon levied by him, or levied on other writs, and applicable to the discharge of the debts due to his majesty, or otherwise received by him, on account of any fines, forfeitures, debts, or dues, to his majesty: And that the said provost-marshal do and shall, within three days after the delivery of such lists in each supreme court, pay or cause to be paid, to the receiver general, all and every sum and sums of money that shall at any time be so levied and received on account of any of the fines, forfeitures, debts, or dues aforesaid, or be applicable to the discharge thereof, or of any part thereof; upon pain that the said provost-marshal, upon default of delivering such lists to the attorney-general and receiver-general as aforesaid, or of paying over the said monies, do and shall, for every such offence, forfeit the sum of two hundred pounds, like current money of Jamaica.

Persons receiving money in his majesty's behalf, and not paying it to the receiver-general, shall be liable to the process themselves;

for which the attorney-general is to issue writs.

VIII. And be it further enacted by the authority aforesaid, That in case any fine, forfeiture, or other debt whatsoever, due to his majesty, or wherein the revenue of this island is interested, or any sum or sums of money on account or in lieu of the same, shall be hereafter levied or received by the provost-marshal, or any of his deputies, or by any clerk of the crown, clerks of the peace, or clerks of the inferior courts, or any of them, or by any person or persons whatsoever by their appointment or consent, and shall be certified and estreated as paid or returned levied as aforesaid, and shall not be paid by the said provost-marshal, clerk of the crown, clerks of the peace, and clerks of the inferior courts, respectively, to the receiver-general, according to the directions herein before given by this act, that then, and in every such case, the said provost-marshal, clerk of the crown, clerks of the peace, and clerks of the inferior courts, respectively, neglecting or delaying to pay the same, according to the said directions, shall be respectively liable to all such writs or processes for the immediate levying and recovering the same, as any other debtors to his majesty is or are liable: Which writ or writs, or other process, his majesty's attorney-general is required to cause to be issued, on a certificate given to him by the receiver-general of every such default.

Receiver-general to keep books of such estreats,

by way of debtor and creditor,

IX. And be it enacted by the authority aforesaid, That the receiver-general do and shall keep one or more distinct book or books, wherein, from time to time, the said receiver-general shall regularly enter, or cause to be entered, on the debtor side of such book or books, true copies of all and every such estreats and dockets of judgment, so as aforesaid to be delivered to him by the clerk of the crown, clerks of the peace, clerks of the inferior courts, and clerk of the supreme court; and on the opposite or creditor side of such book or books the said receiver-general shall, from time to time, regularly enter, or cause to be entered, all such sum and sums of money

money as ſhall be by him received on account of ſuch eſtreats and judgments, or any of them, and all other diſcharges, whether by virtue of the royal prerogative or otherwiſe, whereby any perſon or perſons, charged or chargeable by any ſuch eſtreats or judgments, ſhall be diſcharged from the ſame, under the penalty of one hundred pounds: Which book or books ſhall be deemed public books, belonging to the office of the receiver-general. under penalty of 100*l.*

X. And be it further enacted by the authority aforeſaid, That in caſe his majeſty's attorney-general of this iſland for the time being ſhall refuſe or neglect to do his duty, according to the directions of this act, he ſhall, for every ſuch offence, forfeit the ſum of one hundred pounds current money of Jamaica. Attorney-general, for neglect of duty, to forfeit 100*l.* for each offence.

XI. And be it further enacted by the authority aforeſaid, That all and every the penalties in this act mentioned ſhall be recovered by action of debt, bill, plaint, or information, in the ſupreme court of judicature, in which no eſſoin, wager of law, or imparlance, or *non vult ulterius proſequi*, ſhall be allowed; one moiety whereof ſhall belong to our ſovereign lord the king, his heirs and ſucceſſors, for and towards the ſupport and [*of the*] government of this iſland, and the contingent charges thereof, and the other moiety to him, her, or them, who ſhall ſue for the ſame. Recovery of penalties, and application thereof.

CAP. XIV.

An act for laying a duty on all wines, rum, and other ſpirituous liquors, retailed within this iſland, and applying the ſame to ſeveral uſes; and for laying a further tax on licenſes to be granted for the retailing of wine and other liquors.—[28th November, 1760.] EXPIRED.

CAP. XV.

An act for the ſale of butter, ſoap, candles, tallow, rice, and biſcuit, by weight, and not by invoice.—[15th December, 1760.] EXPIRED.

CAP. XVI.

An act for keeping in repair the harbour of Kingston, and for regulating the mooring of ſhips in the ſaid harbour; and for enabling the juſtices and veſtries of the pariſhes of Port-Royal and Kingston, to erect and build a market or markets in each of the ſaid towns.—[15th December, 1760.] EXPIRED.

CAP. XVII.

An act to encourage perſons to keep veſſels for tranſporting goods about this iſland, and to prevent abuſes being committed by the maſters or commanders of ſuch veſſels; and to regulate wharfingers, and others ſhipping ſuch goods.—[15th December, 1760.] EXPIRED.

CAP. XVIII.

OBSOLETE. *An act to repeal part of an act entitled, "An act to secure the freedom of elections, and directing the proceedings in the choice of members to serve in assemblies in this island; to qualify persons elected to serve in future assemblies in this island; and to ascertain who shall be deemed mulattoes for the future;" and to obviate any doubts that may arise from the construction of the oath, by the said act appointed to be taken, for the qualification of members returned to serve in the assemblies of this island.*—[15th December, 1760.]

CAP. XIX.

REPEALED, *so far as it is compulsory on the parishes.*

An act to oblige the justices and vestrymen of several parishes in this island to build, repair, and keep in repair, barracks, magazines, and arsenals, in their respective parishes.

[15th December, 1760.]

Preamble. WHEREAS it is necessary and expedient, for the security of this your majesty's island of Jamaica, that there should be erected and built, in divers of the parishes thereof, sundry barracks or defensible houses; and there is not at present any sufficient power and authority, in the justices and vestries of the said parishes, to raise sufficient sums of money for that purpose: For remedy whereof, We, your majesty's most dutiful and loyal subjects, the lieutenant-governor, council, and assembly, of this your island of Jamaica, humbly beseech your majesty that it may be enacted; Be it therefore enacted and ordained by the lieutenant-governor, council, and assembly of this island, and it is hereby enacted and ordained by the authority aforesaid, That the justices and vestry, or two justices and six vestrymen in vestry assembled, or the major part of them, of the several parishes herein after mentioned, be, and they are hereby, obliged and required, within three months after the passing this act, to begin to build good and sufficient barracks, and to complete the same within twelve months, for the reception of the officers and soldiers of one company of the regular troops, which his majesty has been or may be graciously pleased to send over to this island for the protection thereof, at such places as shall be herein appointed, and to repair and put in good order such barracks as are herein-after mentioned; that is to say, The justices and vestry, or two justices and six vestrymen of the parish and town of Kingston, in vestry assembled, or the major part of them, in some part of the said town as to them shall seem convenient; of the parish of St. John, at or near a place called Point-Hill, in the said parish of St. John; of the parish of Clarendon, at or near the church in Clarendon Mountains; of the parish of Westmorland, at such place in the leeward part of the parish as to them shall seem convenient, and also to repair and put in good order the barracks at Savanna-la-Mar; of the parish of Hanover, at a place called Lucea;

Justices and vestry authorized to begin building barracks in three months;

and complete them in twelve.

Situation for them in the specified parishes.

Lucea; of the parish of St. James, at such places as to them shall seem convenient, and to keep in repair the barrack already built at Montego-Bay; of the parish of St. Ann, at such place as to them shall seem convenient; of the parish of St. George, at a place called Gibraltar-Point, in the said parish; of the parish of St. Andrew, at such place as to them shall seem convenient.

This clause REPEALED.

II. And whereas a barrack is already built and completed at Puerto-Maria-Bay, in the parish of St. Mary, by a private subscription of several of the inhabitants thereof: Be it therefore enacted and ordained by the authority aforesaid, That said barrack shall be deemed as the barrack of that parish; and that the justices and vestry thereof, or the major part of them, do pay to the said subscribers all the expences they have been at in building the same, out of the monies which they are herein after empowered to raise by virtue of this act.

Barrack at Port-Maria to be for St. Mary's.

Subscriptions to be returned.

III. And be it further enacted and ordained by the authority aforesaid, That the justices and vestry, or two justices and six vestrymen in vestry assembled, or the major part of them, of the parish of St. Thomas in the East, be, and they are hereby, obliged and required to repair, and make proper and convenient for the reception of one company of the regulars, the public building at the Bath in the said parish: And the justices and vestry, as aforesaid, of the parish of St. Thomas in the Vale, are hereby obliged and required to repair completely, and put in good order, the barrack in the parish of St. Mary, at a place called Bagnall's, which was formerly built by the said parish: And the justices and vestry of the parish of Vere, as aforesaid, are hereby obliged and required completely to repair, and put in good order, the barrack at a place called Carlisle-Bay, which was formerly built by the said parish: And the justices and vestry, as aforesaid, of the parish of St. Elizabeth, are hereby obliged and required completely to repair, and put in good order, the barrack at a place called Nassau, which was formerly built by the said parish, or to build a new barrack at any other place in the said parish, which they shall think proper.

Justices and vestries of the respective parishes to put in good order the barracks at Bath,

Bagnall's,

Carlisle-Bay,

and Nassau,

IV. And be it further enacted by the authority aforesaid, That the several and respective justices and vestry, or two justices and six vestrymen in vestry assembled, or the major part of them, in all and every of the parishes of this island where new barracks are directed to be built, or where old barracks are directed to be repaired, or in the parish of St. Mary, where a barrack already built is directed to be paid for by virtue of this act, be, and they are hereby, obliged and required, as soon as the several and respective barracks are built, or the several and respective old barracks are repaired, [*to*] erect and build, at each of the said barracks, a proper magazine for keeping and preserving a reasonable quantity of gunpowder, and also an arsenal for the keeping a reasonable number of arms; and, from

Magazines and arsenals to be built at each of the new barracks;

and be kept in repair.

time to time, and at all times hereafter, to repair and mend, ſuſtain and maintain, all ſuch barrack or barracks, magazines and arſenals, ſo to be erected, built, or repaired, as aforeſaid.

Juſtices and veſtries empowered to lay taxes for the purpoſes of this act.

V. And be it further enacted by the authority aforeſaid, That, the better to enable the juſtices and veſtry, or the major part of them, in the ſeveral and reſpective pariſhes, to carry this act into execution, they are hereby empowered and required, from time to time, to lay a tax upon the ſeveral inhabitants of the ſaid pariſhes reſpectively, for raiſing ſuch ſum or ſums of money as ſhall be neceſſary or ſufficient to erect, build, repair, and pay for, ſuch barrack or barracks, magazine or magazines, arſenal or arſenals, as are herein before directed to be erected, built, or repaired, and the ſame to keep in good and ſufficient repair from time to time; and that ſuch tax ſhall be raiſed, levied, collected, and paid in, in the ſame manner as the other parochial taxes are laid, levied, collected, and paid in.

This clauſe REPEALED.

Exemption for the ſubſcribers to the barrack at Oracabeſſa.

VI. And whereas ſeveral of the inhabitants of the pariſh of St. Mary have already erected and built, by a private ſubſcription among themſelves, a barrack in the ſaid pariſh, at a place called Oracabeſſa: Be it therefore enacted and ordained by the authority aforeſaid, That all and every ſuch inhabitants who have ſo ſubſcribed and paid in, or ſhall pay in ſuch ſubſcription-money within three months, be, and they are hereby, exempted from the payment of any tax which ſhall be impoſed or laid on by the juſtices and veſtry of the ſaid pariſh, for the payment and ſupport of the barrack at Port-Maria.

Pariſh of St. George to be allowed one half of their expences.

VII. And whereas the pariſh of St. George is unable to erect and build a barrack at Gibraltar-Point, ſolely at their own expence: Be it therefore enacted and ordained by the authority aforeſaid, That the receiver-general do, out of any monies in his hands unappropriated, pay to ſuch perſon and perſons as the juſtices and veſtry of the ſaid pariſh, or the major part of them, ſhall appoint to receive the ſame, a ſum of money not exceeding the one half of what the expence for building the ſaid barrack ſhall amount to.

Houſes may be purchaſed for barracks in Kingſton, if completed in twelve months.

VIII. Provided always, That if the juſtices and veſtry of the town and pariſh of Kingſton, or the major part of them, ſhall find it better, or more convenient, to purchaſe a ſuitable houſe or houſes for barracks, than to build and erect the ſame, and ſhall accordingly purchaſe ſuch houſe or houſes, within three months after the paſſing of this act, and ſhall alſo repair, enlarge, and complete the ſame, in ſuch manner as ſhall be neceſſary for the reception of a company of ſoldiers, according to the true intent and meaning of this act, within twelve months after the paſſing of the ſame, they, the ſaid juſtices and veſtry of the ſaid pariſh, ſhall be allowed and conſidered to have fully complied with this act; any thing herein before enacted notwithſtanding.

IX. And

IX. And be it further enacted and ordained by the authority aforeſaid, That every juſtice and veſtryman, neglecting or refuſing to do his duty in the premiſes, ſhall, for every ſuch neglect or refuſal, forfeit the ſum of one hundred pounds; to be recovered by action of debt, bill, plaint, or information, in any court of record within this iſland; one moiety or half part of all ſuch forfeitures ſhall be to our ſovereign lord the king, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof, and the other moiety or half part to the informer, or him or them who ſhall ſue for the ſame.

Penalty of 100*l.* on juſtices and veſtrymen neglecting their duty.

Recovery and application thereof.

X. And be it further enacted by the authority aforeſaid, That, in all and every of the pariſhes where the place for erecting barracks is left to the diſcretion of the juſtices and veſtry, when ſuch juſtices and veſtry, or two juſtices and ſix veſtrymen, or the major part of them, ſhall have fixed upon and made choice of any piece of ground for the erecting and building ſuch barracks, if the owner or proprietor of ſuch piece of land ſhall not conſent or agree to the ſame, it ſhall and may be lawful for the ſaid juſtices, or any one of them, of the ſaid pariſh, and he or they are hereby authorized and required, to iſſue his or their warrant to any conſtable of the ſaid pariſh (who is hereby required to execute the ſame), to ſummon a jury of twelve good and lawful men of the ſaid pariſh; who ſhall, upon their oaths, to be adminiſtered to them by one of the magiſtrates of the ſaid pariſh, value the ſaid piece of land; provided ſuch piece of land ſhall not be planted, nor within four hundred yards of ſuch perſon's dwelling-houſe or works, and not exceeding two acres of land; and, upon ſuch valuation, and tender of the money being made, and proof thereof recorded in the ſecretary's office of this iſland, the ſame ſhall be a perpetual bar to all claim from the proprietor or proprietors, and all perſons claiming by, from, or under him, her, or them, or any of them; and it ſhall and may be lawful for the ſaid juſtices and veſtry to erect barracks thereon: Which ſaid land and barracks ſo to be built, and alſo all other lands on which barracks are herein before particularly directed to be built or repaired, or are already built, together with the barracks directed to be built or repaired, or already built, at Port-Maria, [*ſhall*] be, and they are hereby, veſted in the juſtices and veſtrymen of each pariſh who are herein directed to build or repair the ſame reſpectively, and to [*in*] their ſucceſſors, for the uſe and reception of ſuch officers and ſoldiers as the commander in chief ſhall quarter there; and, in caſe no officer and ſoldiers be quartered there, then to ſuch uſe or uſes as the ſaid juſtices and veſtrymen reſpectively ſhall direct and appoint: And the ſaid ſeveral and reſpective juſtices and veſtrymen, and their ſucceſſors, are hereby made a body politic and corporate for that purpoſe, and no other.

Where the ſituation of barracks is left to juſtices and veſtries,

if the owner refuſes to ſell the land they choose,

they may have it valued,

unleſs it is planted, &c.

and build barracks thereon.

Barracks veſted in the juſtices and veſtries;

who are made bodies politic and corporate.

CAP.

CAP. XX.

An act to establish the probates of all deeds and conveyances, which have been proved and acknowledged in this island since the second day of October, in the year of our Lord one thousand seven hundred and fifty-eight, before persons who had been appointed judges under an act entitled, "An act to enlarge the jurisdiction of the several inferior courts of common pleas," and since the repeal thereof, good and valid in that respect only; as also to establish the probates of all deeds and conveyances, taken and acknowledged by justices of assize, good and valid in that respect only; and to establish certain toll-books, for the parishes of St. Dorothy and St. Thomas in the Vale, as records.

[18th December, 1760.]

Preamble.

Recited act was disallowed.

WHEREAS, by virtue of an act of the governor, council, and assembly of this island, entitled, "*An act to enlarge the jurisdiction of the several inferior courts of common pleas,*" passed the seventh day of May, in the year of our Lord one thousand seven hundred and fifty-five, commissions were issued, under the great seal of this island, to certain persons to act as judges, in order to hold such several courts in the different parishes and precinct of this island, and to carry the said law into execution; and such persons had sufficient authority to prove and acknowledge all deeds and conveyances that should be brought before them: And whereas the said act was disallowed by your majesty, and such disallowance recorded in the secretary's office of this island on the second day of October, in the year of our Lord one thousand seven hundred and fifty-eight; and from that time the power of the said judges, in such commissions named, ceased: And whereas, notwithstanding such disallowance recorded as aforesaid, several of the said persons, so appointed judges under the said act, have taken upon themselves to prove and acknowledge several deeds and conveyances, to the manifest injury and prejudice of many persons; and that, in case relief should not be given to the parties in such deeds and conveyances, so as to establish such probates only by law, many of them will become considerable sufferers, if not entirely ruined: And whereas sundry justices of assize have likewise taken and acknowledged probates to many deeds and conveyances; and it being doubtful whether such justices of assize have by law any power or authority to take the same: In order, therefore, to prevent so great an injury to many of your majesty's faithful subjects of this island, as likewise many tedious and expensive suits at law and in equity, which may be commenced, had, and prosecuted, on account

account of the ſaid judges and juſtices of aſſize taking upon themſelves, to prove and acknowledge ſuch deeds and conveyances, and to eſtabliſh ſuch reſpective probates, We, your majeſty's moſt dutiful and loyal ſubjects, the lieutenant-governor, council, and aſſembly, of this your majeſty's ſaid iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted and ordained by the authority of the ſame, That the probates of all deeds and conveyances, taken and acknowledged ſince the ſecond day of October, in the year of our Lord one thouſand ſeven hundred and fifty-eight, before perſons who were appointed judges under the act herein before mentioned, and after the repeal thereof, ſhall be, and the ſame are hereby declared to be, good and valid as to ſuch probates only, in the ſame manner as if the ſaid judges of ſuch inferior courts had full power and authority by law, to take and acknowledge the probates of ſuch deeds and conveyances.

Deeds acknowledged before judges appointed by the above-recited act, declared valid as to the probates;

II. And be it further enacted by the authority aforeſaid, That all deeds and conveyances, proved and acknowledged before the paſſing of this act, by juſtices of aſſize in this iſland, ſhall be, and the ſame are hereby declared to be, good and valid as to ſuch probates only, in the like manner as if ſuch juſtices of aſſize had full power and authority by law, to take and acknowledge the probates of ſuch deeds and conveyances.

and those acknowledged before juſtices of aſſize.

III. And whereas by law the clerks of the peace are obliged to keep toll-books, for the tolling of negro and other ſlaves in the reſpective pariſhes and precinct for which they are appointed; but, in caſe where no clerks of the peace ſhould be appointed, then the clerks of the veſtry are authorized to keep the ſame: And whereas the clerks of the veſtry for the pariſhes of St. Dorothy and St. Thomas in the Vale have, for a conſiderable time laſt paſt, taken upon themſelves to keep toll-books, and enter tolls for the tolling of negroes, notwithſtanding clerks of the peace have been conſtantly appointed for the ſaid pariſhes and precinct; but, by reaſon of the clerk of the peace being appointed for the precinct, conſiſting of the pariſhes of St. Catherine, St. Thomas in the Vale, St. Dorothy, and St. John, his conſtant place of reſidence and office hath been, and is duly kept for the ſaid precinct, in the town of St. Jago de la Vega, in the ſaid pariſh of St. Catherine, the juſtices and veſtry of the ſaid pariſhes of St. Dorothy and St. Thomas in the Vale apprehended, the reſpective clerks of the veſtry had ſufficient power to keep ſuch toll-books: And whereas many innocent perſons will become conſiderable ſufferers, and others be entirely ruined, in caſe ſuch toll-books, and the reſpective tolls therein inſerted, ſhould not be deemed good and valid: Be it therefore enacted and ordained by the authority aforeſaid, That all and every book and books kept, before the paſſing of this act, for the tolling of negro and other ſlaves, by the clerks of the veſtries for the pariſhes of St. Dorothy and St. Thomas in the Vale, and the reſpective tolls kept and entered therein, ſhall be, and the ſame are hereby

Tolls taken by the clerks of the veſtries of St. Dorothy and St. Thomas in

the Vale declared authentic records;

hereby declared to be, good and valid in law, to all intents and purpoſes, as if ſuch toll-books reſpectively had been kept, and the tolls therein entered, by the clerk of the peace appointed for the ſaid pariſhes reſpectively; and which reſpective entries in ſuch toll-books ſhall be as good and valid, and ſhall be held, deemed, and adjudged, to be a ſufficient record and evidence in any court of record within this iſland, as other tolls and the entries therein are by law already declared to be.

which clerks are to send their toll-books to the clerk of the peace, if required.

IV. And be it further enacted by the authority aforeſaid, That the clerks of the veſtry of the ſaid pariſhes of St. Dorothy and St. Thomas in the Vale, ſhall, upon requeſt made to them reſpectively by the clerk of the peace appointed for the ſaid pariſhes, tranſmit to him the ſaid reſpective toll-books, in order that the ſame may be kept in his office as records, in the ſame manner as the other toll-books of the precinct are kept.

Puniſhment for erasures, &c.

V. And be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, if any perſon or perſons whatſoever ſhall raſe or efface any of the entries of tolls, entered in ſuch reſpective toll-books, ſo kept by the clerks of the veſtry for the ſaid pariſhes of St. Dorothy and St. Thomas in the Vale, as aforeſaid, ſuch perſon or perſons ſo offending ſhall ſuffer ſuch puniſhment, as the law hath provided againſt ſuch as raſe and embezzle records.

CAP. XXI.

An act to prevent frivolous and vexatious ſuits at law.

[18th December, 1760.]

FOR avoiding the infinite number of ſmall and trifling ſuits, commenced or proſecuted againſt ſundry his majeſty's loving ſubjects, in the ſeveral courts of judicature of this iſland, to the intolerable vexation and charge of his majeſty's ſubjects, Be it enacted by the lieutenant-governor, council, and aſſembly, of this his majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, if, upon any action perſonal to be brought in any of the courts of record in this iſland, not being for any title or intereſt of lands or ſlaves, nor concerning the freehold or inheritance of any lands or ſlaves, it ſhall appear to the judges of the ſame court that the debt or damages to be recovered therein ſhall not amount to the ſum of forty ſhillings, or above, That, in every ſuch caſe, the judge or juſtices, before whom ſuch action ſhall be purſued, ſhall not award for coſts, nor ſhall the clerk of ſuch court tax for coſts to the party plaintiff, any greater or more coſts than the ſum of the debt or damages ſo recovered ſhall amount unto, but leſs at their diſcretions.

Coſts not to exceed damages, unleſs more than 40s.

CAP.

CAP. XXII.

An act to remedy the evils arising from irregular assemblies of slaves, and to prevent their possessing arms and ammunition, and going from place to place without tickets; and for preventing the practice of obeah; and to restrain overseers from leaving the estates under their care on certain days; and to oblige all free negroes, mulattoes or Indians, to register their names in the vestry-books of the respective parishes of this island, and to carry about them the certificate, and wear the badge, of their freedom; and to prevent any captain, master, or supercargo of any vessel, bringing back slaves transported off the island.—[18th December, 1760.]

REPEALED.

CAP. XXIII.

An act to make free several negro and mulatto slaves, as a reward for their faithful services in the late rebellions.

[18th December, 1760.]

Preamble.

WHEREAS sundry horrid and detestable rebellions and conspiracies have been lately formed by several slaves, in divers parts of this island, to destroy the settlements and plantations, and to murder their masters, mistresses, and overseers; and many white persons have been destroyed in such rebellions: And whereas there is room to apprehend that a general massacre of the white people was intended: And whereas Foster, Pembroke, and George, three negro men slaves belonging to the honourable Charles Price, esquire; Cuffey, belonging to John Ayscough, esquire; Billy, a mulatto, belonging to Thomas Nicholas Swigle, esquire; Blackwall, belonging to his honour Henry Moore, esquire, the lieutenant-governor; Yankey, Billy, and Philip, belonging to William Beckford, esquire; London, belonging to the estate of John Gleve; Moll, and her son named Quaco, belonging to Peter Brown Kelly, esquire; Nero, Congo Molly, and Beckford, belonging to Arthur Forrest, esquire; Silver, belonging to George Goodwin, esquire; Jemmy, belonging to the estate of John Smith, in the parish of Westmorland, deceased; and Will, belonging to William Gordon, of the parish of Kingston, esquire; have severally been instrumental in discovering the said conspiracies, and active in suppressing the said rebellions: Be it therefore enacted by the lieutenant-governor, council, and assembly, of this your majesty's island of Jamaica, and it is hereby enacted and ordained by the authority of the same, That the said negro and mulatto slaves, named Foster, Pembroke, George, Cuffey, Billy (a mulatto), Blackwall, Yankey, Billy, Philip, London, Moll, Quaco, Nero, Congo Molly, Beckford, Silver, Jemmy, and Will, be, immediately from and after the passing of this act, manumitted and set free; and they and each of them is and are hereby manumitted and set free, of and from all manner of servitude and slavery whatsoever: And that the present receiver-general, or the receiver-general for the time

Above-mentioned slaves manumitted.

Each of them,

to have 5*l.* in May next, and 5*l.* annually during life.

time being do, upon the firſt day of May next, pay, to each of the ſaid negroes and mulatto, the ſum of five pounds; and do alſo, on the ſaid firſt day of May annually, during the ſeveral lives of the ſaid reſpective negroes and mulatto, pay to them and each of them, reſpectively, the ſum of five pounds, as a reward for their fidelity and ſervices to the public.

CAP. XXIV.

EXPIRED. *An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money, in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to give freedom to ſlaves deſerting from the enemy; and to protect freeholders on the days of chooſing churchwardens and veſtrymen.*—[18th December, 1760.]

CAP. XXV.

REPEALED BY THE KING. *An act to oblige perſons in whoſe favour judgments at law have been or ſhall be obtained, and the monies due thereon are ſatisfied, to enter ſatisfaction on the record of ſuch judgments, in a limited time after the debt and coſts are ſo paid; and to oblige the provoſt-marſhal to diſcharge in his books, all writs of execution and venditioni lodged in his office, upon a proper diſcharge being produced to him for that purpoſe.*—[19th December, 1760.]

CAP. XXVI.

EXPIRED. *An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.*—[19th December, 1760.]

CAP. XXVII.

EXPIRED. *An act for raiſing a tax by a duty on vellum, parchment, and paper, aſcertained by ſtamps, and applying the ſame to ſeveral uſes.*—[19th December, 1760.]

CAP. XXVIII.

EXPIRED. *An act for the ſubſiſtence of the five independent companies of ſoldiers, lately arrived in this iſland.*—[4th April, 1761.]

CAP. XXIX.

An act to explain and amend an act, entitled, "An act to oblige the justices and vestrymen of several parishes in this island to build, repair, and keep in repair, barracks, magazines, and arsenals, in their respective parishes."

REPEALED, *so far as it is compulsory on the parishes.*

[9th April, 1761.]

WHEREAS by an act entitled, *An act to oblige the justices and vestrymen of several parishes in this island to build, repair, and keep in repair, barracks, magazines, and arsenals, in their respective parishes*, the justices and vestrymen, or the major part of them, are enabled to levy a tax upon the several inhabitants of the said parishes respectively, for raising such sum or sums of money as should be necessary for the purposes in the said act mentioned: And whereas no power is given to said several justices and vestries respectively, in and by the said act, to make an allotment of negroes in such parishes where it may be necessary: We, your majesty's most dutiful and loyal subjects, the lieutenant-governor, council, and assembly, of this your majesty's island of Jamaica, most humbly beseech your majesty that it may be enacted; Be it therefore enacted by the authority aforesaid, That it shall and may be lawful for the justices and vestrymen, or the major part of them, in their respective parishes, to levy a tax, either by raising of money, or by a proportionable allotment of able labouring negroes, or by both, as shall seem to them most conducive to the purposes of carrying the said law into execution.

1 Geo. III. cap. 19.

Justices and vestry empowered to lay taxes, or make allotments of negroes.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any justice of the peace, of each parish respectively, to issue out his warrant to the constable or tythingmen, to warn in able labouring negroes, according to the several allotments so to be made by the justices and vestry, or the major part of them, as aforesaid: And in case any person or persons shall refuse or neglect to send in his, her, or their proportion of able labouring negroes, with such tools as shall be convenient, he, she, or they, so refusing or neglecting, shall, for every head, pay three shillings *per* day; to be recovered, upon conviction thereof, before any justice of the peace in each respective parish or precinct; and which said sum or sums of money, so recovered, shall be applied towards the purposes in the said act mentioned.

Justices to issue warrants to collect negroes.

Persons refusing to send negroes, to forfeit 3s. *per* day.

Recovery and application thereof.

CAP. XXX.

An act to explain and amend two several acts of this island, one entitled, "An act for giving license to the captors, other proprietors, and purchasers of prize-goods, brought into and condemned as such in this island, to export the same, under certain regulations, free from any duties imposed by the laws of this island;

REPEALED BY THE KING.

and for laying a duty on certain wines that may be brought in and condemned as prize, and ſold in this iſland, and not already liable to any duty or impoſt;" and the other an act entitled, "An act to prohibit the importation of ſugars, rum, and melaſſes, of the growth of the French, Spaniſh, Dutch, and Daniſh colonies in America, into this iſland; and for preventing ſeveral frauds, committed by perſons trading to and from the northern colonies.—[9th April, 1761.]

Anno regni Georgii tertii ſecundo.

CAP. I.

EXPIRED. *An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his Majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof."*—[31ſt October, 1761.]

CAP. II.

EXPIRED. *An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; and for ſubſiſting for one year the officers and ſoldiers of his majeſty's forty-ninth regiment of foot.*—[31ſt October, 1761.]

CAP. III.

EXPIRED. *An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to give freedom to ſlaves deſerting from the enemy; and to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.*—[31ſt October, 1761.]

CAP. IV.

EXPIRED. *An act for raiſing a tax by a duty on vellum, parchment, and paper, aſcertained by ſtamps; and applying the ſame to ſeveral uſes.*—[7th November, 1761.]

CAP. V.

EXPIRED. *An act for the better regulating the proceedings, and eſtabliſhing the fees, of the ſurveyors.*—[7th November, 1761.]

CAP. VI.

EXPIRED. *An act to repeal part of an act entitled, "An act for the better order and government of ſlaves;" and alſo one other act, entitled, "An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and alſo part of*

of one other act, entitled, "An act to inflict further and other punishments on the transgressors of two several acts, the one entitled, 'An act for the better order and government of slaves;' and the other entitled, 'An act to prevent the enticing or inveigling of slaves from the possessors; and for the preventing the transportation of slaves by mortgagers, and tenants for life and years; and for regulating abuses committed by slaves;" and also one other act, entitled, "An act to repeal part of an act entitled, 'An act for the better order and government of slaves;' and also of one other act, entitled, 'An act to prevent the enticing or inveigling of slaves from the possessors; and for the preventing the transportation of slaves by mortgagers, and tenants for life and years; and for regulating abuses committed by slaves;' and also part of one other act entitled, 'An act to inflict further and other punishments on the transgressors of two several acts, the one entitled, 'An act for the better order and government of slaves,' and the other entitled, 'An act to prevent the enticing or inveigling of slaves from the possessors; and for the preventing the transportation of slaves by mortgagers, and tenants for life and years; and for regulating abuses committed by slaves;' and for the more effectual preventing the inveigling, hiding, concealing, or employing, the slaves of others; and for rendering the punishment of such offenders more certain and effectual;" and for the speedy and more effectual punishment of persons hiding, concealing, inveigling, detaining, knowingly harbouring, or employing, the slaves of others.—[21st November, 1761.]

CAP. VII.

An act to repeal part of an act entitled, "An act to oblige the justices and vestrymen of the several parishes of this island to build, repair, and keep in repair, barracks, magazines, and arsenals, in their respective parishes;" and to enable the justices and vestrymen of the parish of St. Mary, to lay a tax for raising the sum of four thousand five hundred pounds, to be laid out in paying for the barracks already built at Puerto-Maria and Oracabessa, and for defraying the expence of building a barrack at Jack's Bay, in the said parish.—[19th December, 1761.]

WHEREAS by an act entitled, *An act to oblige the justices and vestrymen of the several parishes in this island to build, repair, and keep in repair, barracks, magazines, and arsenals, in their respective parishes*, it is, amongst other things, enacted, That a barrack being already built and completed at Puerto-Maria Bay, in the parish of St. Mary, 1 Geo. III. cap. 19.

Recital of clause 2,

Mary, by a private ſubſcription of ſeveral of the inhabitants thereof, the ſame ſhall be deemed as the barrack of that pariſh; and that the juſtices and veſtry thereof, or the major part of them, ſhall pay to the ſaid ſubſcribers all the expences they have been at in building the ſame, out of the monies which they are therein after empowered to raiſe by virtue of the ſaid act: And that whereas ſeveral of the inhabitants of the pariſh of St. Mary have already erected and built, by a private ſubſcription among themſelves, a barrack in the ſaid pariſh, at a place called Oracabeſſa, it is enacted in and by the ſaid act, That all and every ſuch inhabitants who have ſo ſubſcribed and paid in, or ſhall pay in ſuch ſubſcription-money within three months, be, and they are thereby, exempted from the payment of any tax which ſhall be impoſed or laid on by the juſtices and veſtry of the ſaid pariſh, for the payment and ſupport of the barrack at Puerto-Maria: And whereas the above-mentioned clauſes of the ſaid act have not anſwered the purpoſes for which the ſame were intended, but have laid the inhabitants of the ſaid pariſh of St. Mary under great difficulties and inconveniencies: For remedy whereof, We, your majeſty's moſt dutiful and loyal ſubjects, the lieutenant-governor, council, and aſſembly of this your iſland of Jamaica, humbly beſeech your majeſty that it may be enacted; Be it therefore enacted and ordained by the lieutenant-governor, council, and aſſembly, of this iſland, and it is hereby enacted and ordained by the authority aforeſaid, That each and every of the clauſe and clauſes of the ſaid act, herein before recited, be, and the ſame are hereby, annulled and repealed, to all intents and purpoſes whatſoever.

End of clauſe 6, of the above act.

The above two clauſes repealed.

II. And whereas, for the ſafety and protection of the ſaid pariſh, it is abſolutely neceſſary to erect and build a barrack at a place called Jack's Bay, in the ſaid pariſh: And whereas the inhabitants of the ſaid pariſh, who were at the expence of erecting and building the ſaid barracks at Puerto-Maria and Oracabeſſa by ſubſcription, as aforeſaid, have not been reimburſed the monies by them laid out in erecting and building the ſame: And whereas, for defraying the expence of erecting and building the barrack at Jack's Bay, and for raiſing money for the payment of ſuch of the inhabitants of the ſaid pariſh, as were at the charge of erecting and building the barracks at Puerto-Maria and Oracabeſſa by ſubſcription, as aforeſaid, it will be neceſſary to empower and authorize the juſtices and veſtrymen of the ſaid pariſh, to levy a tax upon the inhabitants thereof, for the purpoſes aforeſaid: Be it therefore enacted by the authority aforeſaid, That the juſtices and veſtrymen of the ſaid pariſh of St. Mary, or the major part of them, are hereby empowered and required to lay a tax on the inhabitants of the ſaid pariſh, for raiſing of the ſum of four thouſand five hundred pounds, for the uſes aforeſaid.

Juſtices and veſtry to lay a tax to raiſe 4500*l.* for the purpoſes of this act.

III. Provided nevertheleſs, and it is hereby further enacted, That the ſum of two thouſand two hundred and fifty pounds, part of the ſaid ſum

of

of four thouſand five hundred pounds, ſhall be paid into the hands of Zachary Bayly, Alexander Grant, and Ballard Beckford, eſquires, in full diſcharge of the expences of erecting and building the preſent barrack at Puerto-Maria; that the ſum of one thouſand one hundred and twenty-five pounds, being one other part of the ſaid ſum of four thouſand five hundred pounds, ſhall be paid into the hands of James Murphey, Daniel Munroe, and Alexander Grant, eſquires, in full diſcharge of the expence of erecting and building the preſent barrack at Oracabeſſa; and that the ſum of one thouſand one hundred and twenty-five pounds, the remainder of the ſaid four thouſand five hundred pounds, ſhall be paid into the hands of doctor John Gordon ſenior, William Beckford Ellis, William Nedham, and Richard Lewing, eſquires, to be by them laid out and expended and [*in*] building a barrack at Jack's Bay.

Appropriation of the above ſum.

CAP. VIII.

An act to prevent the inconveniencies arising from exorbitant grants and devises, made by white persons to negroes, and the issue of negroes; and to restrain and limit such grants and devises.—[19th December, 1761.]

WHEREAS divers large eſtates, conſiſting of lands, ſlaves, cattle, ſtock, money, and ſecurities for money, have from time to time been left by white perſons to mulattoes, and other the offſpring of mulattoes, not being their own iſſue born in lawful wedlock: And whereas ſuch bequeſts tend greatly to deſtroy the diſtinction requiſite, and abſolutely neceſſary, to be kept up in this iſland, between white perſons and negroes, their iſſue and offspring, and may in progreſs of time be the means of decreaſing the number of white inhabitants in this iſland: And whereas it is the policy of every good government to reſtrain individuals from diſpoſing of property, to the particular prejudice and detriment of their heirs and relations, and to the injury and damage of the community in general: May it pleaſe your moſt ſacred majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That, from and after the firſt day of January, which will be in the year of our Lord one thouſand ſeven hundred and ſixty-two, no lands, negro, mulatto, or other ſlaves, cattle, ſtock, money, or other real or perſonal eſtate in this iſland whatſoever, ſhall be given, granted to, or declared to be in truſt for, or to the uſe of, or deviſed by any white perſon to, any negro whatever, or to any mulatto, or other perſon not being their own iſſue born in lawful wedlock, and being the iſſue of a negro, and deemed a mulatto, according to the true intent and meaning of an act entitled, *An act to ſecure the freedom of elections, and directing*

Preamble.

No bequeſt to be made to negroes, or their deſcendants, but according to the allowances of this act.

Recited act is repealed.

ing the proceedings in the choice of members to ſerve in aſſemblies in this iſland; to qualify perſons elected to ſerve in future aſſemblies in this iſland; and to aſcertain who ſhall be deemed mulattoes for the future, or to any perſon or perſons in truſt for them, or any of them, or to or for the uſe of them, or any of them, by any deed, laſt will and teſtament, inſtrument in writing or by parole, or by any other way or device whatſoever, other than in manner herein after excepted.

Real properties bequeathed to them, not to be taken poſſeſſion of;

II. And be it further enacted by the authority aforeſaid, That if any white perſon or perſons ſhall, from and after the firſt day of January, which will be in the year of our Lord one thouſand ſeven hundred and ſixty-two, give, grant, or deviſe, to any negro, mulatto, or other perſon not being his or their own lawful iſſue born in wedlock, being the iſſue of a negro, and deemed a mulatto as aforeſaid, or to any perſon or perſons in truſt for them, or any of them, any lands, negro, mulatto, or other ſlaves, cattle, ſtock, money, or other real or perſonal eſtate in this iſland whatſoever, that ſuch negro, mulatto, or other perſon not ſo born in lawful wedlock as aforeſaid, or his or their heirs, or any of them, or the perſon or perſons appointed to take in truſt for them, or any of them, ſhall take no eſtate, benefit, or advantage, by ſuch gift, grant, declaration, or deviſe, be the ſame by deed, will, inſtrument in writing, or by a parole, or by any other form or deviſe whatſoever, or any part thereof, except as herein after is excepted; but the lands, negro, mulatto, or other ſlaves, cattle, ſtock, money, or other real or perſonal eſtate whatſoever, ſo given, granted, declared in truſt, or deviſed, and every part thereof, except in manner herein after excepted, ſhall veſt in manner, and be to and for the uſes, following; that is to ſay, All the lands, ſlaves, and all other real eſtate, ſo given, granted, declared, or deviſed, ſhall go to and be for the ſole uſe and benefit of the heir or heirs at law, or heir or heirs apparent, of ſuch donor, granter, or teſtator, as the caſe may require; and all the perſonal eſtate ſo given, granted, or bequeathed, ſhall go to and be for the uſe and benefit of ſuch perſon or perſons, as would have been entitled to the ſame under the ſtatute of diſtributions, had ſuch donor, granter, or teſtator, died inteſtate, to and for ſuch eſtates, and in ſuch manner, as the ſame were mentioned and intended to be given, granted, declared in truſt, or deviſed, to ſuch negro, mulatto, or other perſon not ſo born in lawful wedlock as aforeſaid, and being the iſſue of a negro, and deemed a mulatto, according to the true intent and meaning of the ſaid herein-before mentioned act.

but to go to the heir at law.

Perſonal eſtates to go under the ſtatute of diſtributions.

Intentions to evade this act provided againſt.

III. And be it further enacted by the authority aforeſaid, That all gifts, grants, leaſe or leaſes, deviſes, covenants, conditions, proviſoes, [*and*] declarations, made or declared, either by writing, parole, or any other manner whatſoever, to any perſon or perſons whatſoever, with an intent to evade and elude this act, ſhall be void as to paſſing any eſtates, truſts, or other benefit or advantage, contrary to the true intent and meaning of this act;

act; and the eſtates, conditions, covenants, declarations, and proviſoes, given, granted, deviſed, declared, or provided for, and every other benefit ariſing therefrom, ſhall veſt in and be for the uſes, and in the manner, herein before mentioned.

Trustees not allowed to demur to bills.

IV. And be it further enacted by the authority aforeſaid, That in any ſuit or ſuits in the courts of equity, to be inſtituted againſt any perſon or perſons, claiming either as truſtee or *ceſtuy que* truſts under any gifts, grants, declarations of truſt, or deviſes, prohibited and reſtrained by this act, or intended ſo to be, the defendant or defendants ſhall not be allowed to demur to ſuch bill, but be compelled to put in an anſwer as to the diſcovery of any ſuch truſt or truſts, as ſhall and may be prayed by any bill to be filed againſt him, her, or them.

Negroes, &c. allowed to purchase realties,

V. Provided always, That nothing in this act contained ſhall extend to any gifts or grants hereafter to be made, for any full, valuable, and adequate conſiderations, really and *bonâ fide* paid by ſuch negro, mulatto, or other perſon not born in lawful wedlock, and being deemed a mulatto according to the true intent and meaning of the herein before-mentioned act, out of their own proper monies and effects; ſo as the whole of all ſuch gifts, grants, and purchaſes, from all and every the granters, given and granted to and purchaſed by ſuch negro, mulatto, or other perſon not born in lawful wedlock, ſhall not in the whole exceed the value of the ſum of two thouſand pounds in realty.

if they exceed not 2000*l.*

Gifts by perſons abſent from the iſland excepted for a time.

VI. Provided always, That nothing in this act ſhall extend, or be conſtrued to extend, to any gifts or grants to be made to any negroes, mulattoes, or other perſon or perſons the offſpring of negroes, and deemed mulattoes as aforeſaid, by any white perſon or perſons now abſent, and reſident in Great-Britain or Ireland, or any other of his majeſty's dominions, ſo as ſuch gifts and grants be duly proved, and recorded in the ſecretary's office of this iſland, on or before the thirtieth day of September, which will be in the year of our Lord one thouſand ſeven hundred and ſixty-two.

Negroes, and their deſcendants, may have property to the amount of 2000*l.* deviſed to them.

VII. Provided likewiſe, That it ſhall and may be lawful to and for ſuch negro, mulatto, or other perſon not born in lawful wedlock, and being deemed a mulatto according to the true intent and meaning of the herein before-mentioned act, to receive and take any lands, negro, mulatto, or other ſlaves, cattle, ſtock, money, or other eſtate real or perſonal in this iſland, ſo that the value and amount of ſuch lands, negro, mulatto, or other ſlaves, cattle, ſtock, money, or other real or perſonal eſtate, given, granted, and deviſed, by all and every of the donors and teſtators (being white perſons), exceed not the ſum of two thouſand pounds in the whole, to any one perſon; any thing in this act to the contrary in anywiſe notwithſtanding.

Devises by absentees allowed to be effectual, if will recorded in a limited time.

VIII. Provided likewise, That nothing in this act shall extend, or be construed to extend, to any devises or bequests made, or to be made, by will, to any negro, mulatto, or other person or persons, the offspring of negroes, deemed mulattoes as aforesaid, by any white person or persons now absent, and resident in Great-Britain or Ireland, or any other of his majesty's dominions, so as such devises or bequests do vest in such devisee or legatee, and the will giving and bequeathing the same be duly proved and recorded in the secretary's office of this island, on or before the said thirtieth day of September, which will be in the year of our Lord one thousand seven hundred and sixty-two.

Deeds already recorded, ratified.

IX. Provided likewise, That this act, or any thing therein contained, shall not extend, or be construed to extend, to any gifts or grants already made, and enrolled in the secretary's office of this island, or any devises or bequests already vested in any person or persons; any thing to the contrary thereof in anywise notwithstanding.

Privileged persons of the fourth degree not restrained from receiving gifts.

X. Provided always, That this act, or any thing therein contained, shall not extend, or be construed to extend, to restrain any gift, grant, or devise, to mulattoes, or other persons not born in lawful wedlock, and being the offspring of a negro within the fourth degree, and described in the aforementioned act, or their issue, to whom, or to whose ancestors, the same rights and privileges with English subjects, born of white parents, have been granted by any act of the governor or commander in chief, council, and assembly, of this island.

Claimants of estates may sue for them.

XI. And be it further enacted by the authority aforesaid, That any person or persons, who shall or may have any right, title, or claim, to any estate or hereditament, real, personal, or mixed, under this act, shall and may sue for the same, either in his majesty's supreme court of judicature, or in any court of equity in this island, as he, she, or they, shall or may be advised.

CAP. IX.

EXPIRED. *An act for raising a tax by the poll, and on trades, supercargoes, and masters of vessels in the out-ports, and on offices and houses; and also for laying a tax on certain wheel-carriages; and applying the same to several uses.*—[19th December, 1761.]

CAP. X.

REPEALED. *An act to explain and amend an act entitled, "An act to remedy the evils arising from irregular assemblies of slaves, and to prevent their possessing arms and ammunition, and going from place to place without tickets; and for preventing the practice of obeah; and to restrain overseers from leaving the estates under their care on certain days; and to oblige all free negroes, mulattoes, or Indians, to register their names in the vestry-books of the respective parishes of this island, and to carry about them the certificate, and wear*

wear the badge, of their freedom; and to prevent any captain, maſter, or ſupercargo of any veſſel, bringing back ſlaves tranſported off this iſland."—[19th December, 1761.]

CAP. XI.

An act to reſtrain the inhabitants of the pariſh of St. Thomas in the Eaſt from working any carriages of burthen, but with broad wheels, on certain roads in the ſaid pariſh.—[19th December, 1761.] EXPIRED.

CAP. XII.

An act to make free a negro ſlave named Jack, the property of Peter Thomas, of the pariſh of St. Mary, planter, for his faithful ſervices to the public.

[19th December, 1761.]

Preamble.

WHEREAS a negro man named Jack, the property of Peter Thomas, of the pariſh of St. Mary, planter, has been very inſtrumental in the diſcovery of rebellious conſpiracies, and was extremely active in ſuppreſſing the late rebellion in the ſaid pariſh: In order, therefore, that he may be rewarded for ſuch his fidelity and ſervices to the public, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this iſland, and it is hereby enacted and ordained by the authority of the ſame, That the ſaid negro named Jack be, immediately from and after the paſſing of this act, manumitted and ſet free; and he is hereby manumitted and ſet free of and from all manner of ſervitude and ſlavery whatſoever.

Negro named Jack manumitted.

II. And be it further enacted by the authority aforeſaid, That the receiver-general, or the receiver-general for the time being, do, upon the firſt day of May next, pay to the ſaid negro the ſum of five pounds; and do alſo, on the firſt day of May annually, during his life, pay him the ſum of five pounds, as a reward for his fidelity and ſervices.

Annuity granted him.

CAP. XIII.

An act for laying a duty on all wines, rum, and other ſpirituous liquors, retailed within this iſland, and applying the ſame to ſeveral uſes; and for laying a further tax on licenſes to be granted for the retailing of wine and other liquors.—[19th December, 1761.] EXPIRED.

CAP. XIV.

An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.—[21ſt November, 1761.] EXPIRED.

CAP. XV.

EXPIRED. *An act appointing commissioners to settle the public accounts, and look into the state of, and count the cash in, the treasury; and to oblige the receiver-general to keep one general account of cash.*—[21st November, 1761.]

CAP. XVI.

EXPIRED. *An act for establishing and declaring rules and articles of war.*—[21st November, 1761.]

CAP. XVII.

EXPIRED. *An act to borrow a certain sum of money by a lottery, for the regular payment of his majesty's forces in this island, and other exigencies of the government.*—[21st November, 1761.]

CAP. XVIII.

EXPIRED. *An act to augment the salary of his excellency William Henry Lyttelton, esquire.*—[17th February, 1762.]

CAP. XIX.

OBSOLETE. *An act to prevent discontinuance of process, by reason of the martial law.*—[17th February, 1762.]

CAP. XX.

EXPIRED. *An act for vesting in trustees certain tolls to keep the ferry, and erect toll-gates or turnpikes on the several roads leading from St. Jago de la Vega to Passage-Fort, in the parish of St. Catherine, and to the extreme part of Waterhouse Savanna, nearest to Halfway-Tree, in the parish of St. Andrew, for repairing and keeping in repair the said roads; and other purposes therein mentioned.*—[17th February, 1762.]

CAP. XXI.

EXPIRED. *An act to empower the receiver-general to borrow the sum of three thousand nine hundred and eighty-one pounds one shilling and six pence, upon interest, for the uses within mentioned.*—[17th February, 1762.]

CAP. XXII.

EXPIRED. *An act for amending and keeping in repair a road leading from Pepper Plantation, over May-day Hills, in the parish of St. Elizabeth, to St. Jago Plantations, in the parish of Clarendon; and for vesting in trustees the toll raised by a turnpike on the said May-day Hills, for the purposes aforesaid.*—[17th February, 1762.]

CAP. XXIII.

EXPIRED. *An act to explain and amend two several acts of this island, one entitled,* "*An act for*

for the giving licenſe to the captors, other proprietors, and purchaſers, of prize-goods, brought into and condemned as ſuch in this iſland, to export the ſame, under certain regulations, free from any duties impoſed by the laws of this iſland; and for the laying a duty on certain wines that may be brought in and condemned as prize, and ſold in this iſland, and not already liable to any duty or impoſt;" and the other, an act entitled, " An act to prohibit the importation of ſugars, rum, and melaſſes, of the growth of the French, Spaniſh, Dutch, and Daniſh colonies in America, into this iſland; and for preventing ſeveral frauds, committed by perſons trading to and from the northern colonies."—[18th April, 1762.]

CAP. XXIV.

An act for providing two thouſand negroes for the immediate ſervice of his majeſty. EXPIRED.
—[18th April, 1762.]

CAP. XXV.

An act to repeal a clauſe in an act entitled, " An act to oblige the ſeveral inhabitants, of this iſland to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to give freedom to ſlaves deſerting from the enemy; and to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.—[18th April, 1762.] EXPIRED.

Anno regni Georgii tertii tertio.

CAP. I.

EXPIRED. *An act for raiſing a tax by a duty on vellum, parchment, and paper, aſcertained by ſtamps; and applying the ſame to ſeveral uſes.*—[24th November, 1762.]

CAP. II.

EXPIRED. *An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes; and to enable the receiver-general to proceed with all French prizes, in all reſpects, as he is by law enabled to do with Spaniſh prizes.*—[24th November, 1762.]

CAP. III.

An act to veſt a certain parcel of land, ſituate, lying, and being, in the parish of St. Andrew, in the preſent churchwarden or churchwardens of the parish of Port-Royal, or the churchwarden or churchwardens of the ſaid parish for the time being, for the uſe of the inhabitants of the parish of Port-Royal, agreeable to the true intent and meaning of letters patent granted by his late majeſty king Charles the ſecond to Joſeph Hunt, his heirs and ſucceſſors, formerly churchwarden of the ſaid parish; and to enable the preſent churchwarden or churchwardens of the parish of Port-Royal, or the churchwarden or churchwardens of the ſaid parish for the time being, to maintain or defend any ſuit or ſuits, at law or in equity, for recovery of the ſame, or any part or parcel thereof.—[24th November, 1762.]

Preamble. WHEREAS his late majeſty king Charles the ſecond, by his letters patent under the broad ſeal of this iſland, bearing date the twenty-ninth day of September, in the twenty-eighth year of his reign, did, for the conſiderations therein mentioned, give and grant unto Joſeph Hunt, the then elected churchwarden for the pariſh of Port-Royal, his heirs and ſucceſſors, in truſt for the ſaid pariſh, all that parcel of land, meadow, paſture, or wood-land, or whatſoever kind of land the ſame is, ſituate, lying, and being, in the pariſh of St. Andrew, containing by eſtimation three hundred acres of boggy land, bounding eaſt on the Salt River; ſouth-

ſouth-eaſt on Charles Atkinſon, eſquire, Mr. John Childermas, and other joint tenants; weſt on Rio de Cobre; north-weſterly on Mr. John Childermas, major William Parker, Mr. Benjamin Whitcombe, and Mr. Robert Thorneton; as by the plat annexed to the ſaid letters patent will more fully appear, to have and to hold the parcel of land aforeſaid, meadow or paſture, and all and ſingular the premiſes thereby granted, with their and every of their appurtenances, unto the ſaid Joſeph Hunt, his heirs and ſucceſſors, in truſt as aforeſaid, to the only proper uſe and behoof of the ſaid Joſeph Hunt, his heirs and ſucceſſors, in truſt as aforeſaid, and to and for the uſes aforeſaid, as in and by the ſaid letters patent, remaining on record in the ſecretary's office of this iſland, it doth and will more fully and at large appear: And whereas the ſaid lands, by virtue of the ſaid letters patent, veſted in the ſaid Joſeph Hunt, and his heirs and ſucceſſors, in truſt for the ſaid pariſh, and the greateſt part of the ſaid land hath been, from the paſſing of the ſaid letters patent, in poſſeſſion of the churchwardens of the ſaid pariſh of Port-Royal, in truſt for the uſe and benefit of the inhabitants thereof, or in the poſſeſſion of ſome perſon or perſons in truſt for them, or claiming under them: And whereas the ſaid Joſeph Hunt is long ſince dead, and no heir or other repreſentative of the ſaid Joſeph Hunt, in whom the legal title to the ſaid land is now veſted, is now, or from the death of the ſaid Joſeph Hunt hath been, reſident in this iſland; by means whereof the churchwardens of the ſaid pariſh of Port-Royal cannot compel a performance of the truſt repoſed by the ſaid inhabitants in the ſaid Joſeph Hunt, the then churchwarden of the ſaid pariſh, in truſt for the uſe and benefit of the ſaid inhabitants: And whereas many treſpaſſes have been, and may hereafter be, committed upon the ſaid land, to the great detriment and loſs of the ſaid pariſh and the inhabitants thereof, who are and will be, for the reaſons aforeſaid, under great difficulties, or entirely remedileſs, at law or in equity, for want of a proper perſon to maintain and defend the right and title to the ſaid land, or to recover againſt thoſe who have or may hereafter commit treſpaſſes on the ſame, and be thereby defeated of the benefit intended to the ſaid inhabitants by the ſaid letters patent, without the aid and aſſiſtance of the legiſlature: For remedy whereof, May it therefore pleaſe your moſt excellent majeſty, on the humble petition of the juſtices, veſtrymen, and churchwardens of Port-Royal, [*as well*] on behalf of themſelves as of the inhabitants thereof, that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority aforeſaid, That the ſaid piece or parcel of land, containing three hundred acres, be the ſame more or leſs, and all other the premiſes, in the ſaid letters patent herein before ſet forth, given and granted to the ſaid Joſeph Hunt, his heirs and ſucceſſors, in truſt for the ſaid pariſh of Port-Royal, be, and the ſame are hereby, veſted in the preſent churchwarden or churchwardens of the ſaid pariſh of Port-Royal, or the churchwarden or churchwardens of the ſaid pariſh for the time being, to and for the uſe of the ſaid pariſh and the inhabitants

Above deſcribed land in St. Andrew's veſted in the churchwardens of Port-Royal.

inhabitants thereof, agreeable to the true intent and meaning of the ſaid letters patent.

Churchwardens, and their ſucceſſors, enabled to maintain ſuits.

II. And be it further enacted by the authority aforeſaid, That the preſent churchwarden or churchwardens of the ſaid pariſh of Port-Royal, or the churchwarden or churchwardens of the ſaid pariſh for the time being, ſhall be and are hereby empowered to bring or defend any ſuit or ſuits in law or equity, relative to the title or poſſeſſion of the ſaid lands and premiſes, or to any other matter belonging to or ariſing from the ſame, in like manner as the heir or heirs of the ſaid Joſeph Hunt might or could do under the ſaid letters patent: Saving, nevertheleſs, to his moſt excellent majeſty, his heirs and ſucceſſors, and to all bodies politic and corporate, and to all and every other perſon and perſons whomſoever (except the heirs and aſſigns of the ſaid Joſeph Hunt, and all and every other perſon and perſons claiming, or to claim, by, from, or under, him or them, or any of them), all ſuch legal right, title, intereſt, claim, and demand, which he, they, or any of them, now have, or may have, of, into, or out of, the ſaid lands and premiſes ſo as aforeſaid veſted in the ſaid preſent churchwarden or churchwardens of the ſaid pariſh of Port-Royal, or the churchwarden or churchwardens of the ſaid pariſh for the time being; any thing herein before contained to the contrary thereof in anywiſe notwithſtanding: Provided always, That this act, or any clauſe, article, or thing, herein contained, ſhall not take place, or be of any force or effect, until the ſame ſhall have received his majeſty's royal approbation; any law, cuſtom, or uſage, to the contrary notwithſtanding.

Saving rights.

This act not forcible till confirmed.

CAP. IV.

EXPIRED. *An act for the relief and better regulation of the poor; and to oblige maſters of ſhips and other veſſels to indemnify the ſeveral pariſhes of this iſland, againſt any charges and expences for ſupporting and curing their ſick, maimed, infirm, or diſabled ſeamen.*—[24th November, 1762.]

CAP V

EXPIRED. *An act for eſtabliſhing and declaring rules and articles of war.* [24th November, 1762.]

CAP. VI.

EXPIRED. *An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.*—[24th November, 1762.]

CAP. VII.

EXPIRED. *An act for the ſale of Madeira and other wines, and other liquors, imported into this iſland in caſk, by gauge.*—[24th November, 1762.]

CAP. VIII.

EXPIRED. *An act for the better order and government of the negroes belonging to the ſeveral negro-*

negro-towns, and for preventing them from purchaſing of ſlaves; and for encouraging the ſaid negroes to go in purſuit of runaway ſlaves.—[24th November, 1762.]

CAP. IX.

An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's forty-ninth regiment of foot.—[24th November, 1762.] EXPIRED.

CAP. X.

An act to oblige the ſeveral inhabitants of this iſland to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes, to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.—[24th November, 1762.] EXPIRED.

CAP. XI.

An act for laying a duty on all wines, rum, and other ſpirituous liquors, retailed within this iſland, and applying the ſame to ſeveral uſes; and for laying a further tax on licenſes to be granted for the retailing of wine and other liquors.—[24th November, 1762.] EXPIRED.

CAP. XII.

An act to make good divers deeds, writings, and proceedings, in law and equity; and to obviate certain doubts in the conſtruction of two ſeveral acts, reſpectively entitled, "An act for raiſing a tax by a duty on vellum, parchment, and paper, aſcertained by ſtamps; and applying the ſame to ſeveral uſes."—[24th November, 1762.] OBSOLETE.

Anno regni Georgii tertii quarto.

CAP. I.

An act for the prevention of indebted perſons from departing this iſland in the time of martial law; and to empower the judges and juſtices to exerciſe their ſeveral offices in certain caſes; and to empower the juſtices and veſtry, and churchwardens, and ſurveyors of highways, to diſcharge their ſeveral duties; and to enable landlords to diſtrain for rent, notwithſtanding martial law.—[1ſt December, 1763.] EXPIRED.

CAP. II.

An act for making free a negro man ſlave named Jack Pearſon, belonging to the eſtate of William Ricketts, eſquire, deceaſed.

[1ſt December, 1763.]

WHEREAS a negro man named Jack Pearſon, belonging to the eſtate of William Ricketts, deceaſed, did, in a very particular manner, ſhew his fidelity, in diſcovering a dangerous conſpiracy and rebellion of many ſlaves in the pariſh of Weſtmorland, in the year of our Lord one thouſand ſeven hundred and ſixty, whereby many white perſons Preamble.

lives were ſaved; and did alſo, with great willingneſs and activity, purſue many of the ſaid rebellious negroes, and did kill and take many of the ſaid rebels; and hath not been as yet ſufficiently rewarded for ſuch his faithful ſervices: May it pleaſe your moſt excellent majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That the ſaid negro man ſlave named Jack Pearſon be, and he is hereby, manumiſed and ſet free from all manner of ſlavery whatſoever; and that Malcolm Laing, eſquire, receiver-general, or the receiver-general for the time being, do pay to the repreſentative of the ſaid William Ricketts, the ſum of ſixty pounds current money of Jamaica, in full ſatisfaction for the ſaid negro man called Jack Pearſon.

Jack Pearson manumitted.

60*l.* to be paid for his freedom.

CAP. III.

EXPIRED. *An act to limit the duration of the ſeveral courts of juſtice in this iſland.*—[1ſt December, 1763.]

CAP. IV.

EXPIRED. *An act for eſtabliſhing and declaring rules and articles of war.*—[1ſt December, 1763.]

CAP. V.

EXPIRED. *An act to give a recompenſe to perſons that ſhall be unjuſtly vexed by writs of replevin.*—[1ſt December, 1763.]

CAP. VI.

EXPIRED. *An act for laying a duty on all wines, rum, and other ſpirituous liquors, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wine and other liquors; and for laying a tax on ſupercargoes, and on the public officers; and applying the ſame to ſeveral uſes.*—[30th December, 1763.]

CAP. VII.

EXPIRED. *An act to encourage the cutters of, and dealers in, mahogany of the growth of this iſland; and to prevent the fraudulent exportation of foreign mahogany from this iſland, as and for mahogany of the growth thereof; and to lay a duty upon all mahogany imported into this iſland from the French, Spaniſh, Dutch, and Daniſh colonies in America, in Britiſh bottoms.*—[30th December, 1763.]

CAP. VIII.

An act to enable the aſſiſtant judges to ſign writs, in caſe of diſability or abſence of the chief juſtice; and for regulating the admiſſion and copartnerſhips of attornies in this iſland.

[30th December, 1763.]

Preamble. WHEREAS great inconveniencies ariſe to the ſuitors of this iſland, from the chief juſtice of this iſland being ſometimes abſent from town, when writs are neceſſary to be ſigned: For remedy whereof, We, your majeſty's moſt loyal ſubjects, the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly of the ſaid iſland, and

and it is hereby enacted by the authority of the ſame, That, in caſe of the diſability of the chief juſtice, or his being abſent from town, it ſhall and may be lawful for any of the aſſiſtant judges, who ſhall be in the town of St. Jago de la Vega, to ſign writs, paying to the ſaid chief juſtice all the fees allowed by law for ſigning the ſaid writs; any law, cuſtom, or uſage, to the contrary notwithſtanding.

Aſſiſtant judges may ſign writs for the chief juſtice, he receiving all fees.

II. And whereas it is abſolutely neceſſary that all practiſing attornies, and ſolicitors, in this iſland, ſhould be regularly educated and brought up to the buſineſs of their reſpective profeſſions: Be it further enacted, That no perſon ſhall for the future be admitted to practiſe as an attorney, ſolicitor, or proctor, in any of the courts of law or equity in this iſland, unleſs he ſhall produce an admiſſion as ſuch in ſome of the courts in Weſtminſter-hall, or ſome of the courts of chancery, king's bench, common pleas, or exchequer, in the kingdom of Ireland, or ſhall have been an articled clerk to ſome ſworn attorney or ſolicitor in this iſland for the ſpace of five years at leaſt (which ſaid articles ſhall be filed and recorded in the ſecretary's office of this iſland), and unleſs ſuch perſon, on examination by two barriſters (to be appointed by his excellency the chancellor, or the chancellor for the time being, the chief juſtice of this iſland, or the juſtices of the ſupreme court of judicature), be certified by two ſuch perſons to be duly qualified for ſuch profeſſion.

All attornies, ſolicitors, and proctors, muſt have been admitted as ſuch at Weſtminſter, or in Ireland, or have been articled here five years (articles being recorded), and have their abilities certified by two barriſters.

III. And be it further enacted by the authority aforeſaid, That any perſon who ſhall have been admitted as a writer to the ſignet, or ſolicitor, in that part of Great-Britain called Scotland, or ſhall have been an articled clerk or apprentice to ſuch writer to the ſignet for the ſpace of three years at leaſt, on producing an authentic certificate of ſuch clerkſhip and ſervice, ſhall, upon having been articled in this iſland, in manner aforeſaid, for the ſpace of one year (which articles ſhall be recorded in like manner), and undergoing ſuch examination, be in like manner entitled to be admitted to practiſe in all and every the courts of this iſland.

Practitioners from Scotland, or their clerks, under reſtrictions, may be admitted.

IV. And be it further enacted by the authority aforeſaid, That no partnerſhip ſhall be allowed between any attornies or ſolicitors, unleſs the attornies or ſolicitors entering into ſuch partnerſhip ſhall reduce their agreement into writing, and ſign, ſeal, and deliver the ſame, and record it in the ſecretary's office: And ſuch attornies or ſolicitors ſhall, and they are hereby obliged to, ſign and endorſe the names of all and every the perſons concerned in ſuch partnerſhip, on all writs, proceſs, proceedings, or other buſineſs in which they are concerned, in ſuch manner as the name of the attorney or ſolicitor is now ſigned and endorſed.

Copartneſhips between attornies or ſolicitors to be recorded; and each name in a firm to be endorſed on proceſs.

CAP. IX.

An act for eſtabliſhing the fees of the clerk of the ſupreme court of judicature of this iſland; and eſtabliſhing the fees of the chief juſtice and attornies in all judicial writs.—[30th December, 1763.]

EXPIRED.

CAP. X.

EXPIRED. *An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.*—[30th December, 1763.

CAP. XI.

XPIRED. *An act for appointing commiſſioners for ordering and inſpecting the works in and about the forts, fortifications, and barracks of this iſland.*—[30th December, 1763.]

CAP. XII.

EXPIRED. *An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.*—[21ſt December, 1763.]

CAP. XIII.

REPEALED. *An act to appoint commiſſioners of correſpondency, to direct the management of the public affairs of this iſland in Great-Britain.*—[21ſt December, 1763.]

CAP. XIV.

EXPIRED. *An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's forty-ninth regiment of foot.*—[21ſt December, 1763.]

Anno regni Georgii tertii quinto.

CAP. I.

EXPIRED. *An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.*—[9th November, 1764.]

CAP. II.

EXPIRED. *An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof."*—[9th November, 1764.]

CAP. III.

EXPIRED. *An act appointing commiſſioners to ſettle the public accounts, and look into the ſtate of, and count the caſh in, the treaſury; and to oblige the receiver-general to keep one general account of caſh.*—[9th November, 1764.]

CAP. IV.

EXPIRED. *An act to limit the duration of the ſeveral courts of juſtice in this iſland.*—[9th November, 1764.]

CAP.

CAP. V.

An act for making free a negro man slave named Cato, belonging to Arthur Forrest, esquire.

[9th November, 1764.]

WHEREAS, ſome time in the year of our Lord one thouſand ſeven hundred and ſixty, a very dangerous conſpiracy and rebellion was formed, by ſeveral ſlaves of this iſland, to deſtroy the ſettlements and plantations to which they belonged, and to murder their maſters, miſtreſſes, overſeers, and many families of white perſons, and a general maſſacre was intended, in caſe the conſpirators had ſucceeded in their attempts: And whereas the ſaid Cato did give information of ſuch conſpiracy, whereby many white perſons lives were ſaved; and did alſo, with great willingneſs and activity, purſue many of the ſaid rebellious negroes, and did kill and take many of the ſaid rebels: In recompenſe whereof, and as an encouragement to other ſlaves to behave with the ſame honeſty and fidelity on the like occaſions, May it pleaze your moſt excellent majeſty that it may be enacted; Be it therefoze enacted by the governoz, council, and aſſembly, of this your majeſty's Mand of Jamaica, and it is hereby enacted by the authozity of the ſame, That the ſaid negro man ſlave named Cato be, and he is hereby, manumiſed and ſet free from all manner of ſlavery whatſoever; and that Alexander Brown, eſquire, receiver-general, or the receiver-general for the time being, do pay to the ſaid Arthur Forreſt, or his attornies in this iſland, the ſum of ſeventy pounds of current money of Jamaica, in full ſatisfaction for the ſaid negro man called Cato.

Preamble.

Cato manumitted.

70*l.* to be paid for his freedom.

CAP. VI.

An act for re-veſting a certain parcel of land, in the parish of Westmorland, in his majesty, in order to enable him to re-grant the same to John Ellis, esquire, under certain conditions.

[18th December, 1764.]

WHEREAS, in or about the year of our Lord one thouſand ſeven hundred and thirty-three, a barrack was erected and built near Great-River, in the parliſh of Weſtmorland, by the ſaid pariſh, and one hundred acres of land were granted for the uſe of the ſaid barrack: And whereas, by an act of the governor, council, and aſſembly, paſſed in the year of our Lord one thouſand ſeven hundred and thirty-eight, entitled, *An act for perpetuating ſuch parts of the late barracking laws as veſted ſeveral parcels of land in the crown; and confirming the titles of ſuch perſons as have had grants of any ſuch lands, purſuant to the ſaid laws; and for directing ſurveys to be made of ſeveral parcels of the ſaid lands*, the ſaid one hundred acres of land in the ſaid pariſh of Weſtmorland, on part whereof the ſaid barrack was built, were veſted in your majeſty, for the purpoſes in the ſaid act mentioned: And whereas the ſaid barrack, for want of being taken

Preamble.

11 *Geo.* II. *cap.* 7.

taken care of and repaired from time to time, became in a ruinous condition, and unfit for receiving ſoldiers therein: And whereas John Ellis, of the ſaid pariſh of Weſtmorland, eſquire, having lands, ſituate, lying, and being in the ſaid pariſh, ſurrounding the ſaid barrack and the lands thereunto belonging, upon which land a ſugar plantation is ſettled, called Montpelier: And whereas the ſaid John Ellis, in the year of our Lord one thouſand ſeven hundred and ſixty-one, by and with the licenſe and conſent of the late lieutenant-governor, took poſſeſſion of the ſaid barrack and the ſaid one hundred acres of land thereunto belonging, and was to make uſe of the ſame, upon condition that he put the ſaid barrack in good repair, and in a condition to receive ſoldiers therein: And whereas the ſaid John Ellis, immediately upon taking poſſeſſion thereof, did put the ſaid barrack in good order and repair; in doing whereof he laid out and expended five hundred pounds and upwards, and hath, at a conſiderable expence, ever ſince kept the ſame in good repair, and in a condition of receiving ſoldiers therein, by means whereof a very conſiderable ſum of money hath been ſaved to the public: And whereas the keeping the ſaid barrack in good repair and condition for the future is abſolutely neceſſary for the reception of ſoldiers, for the protection of that part of the iſland; which cannot be done without a conſiderable annual charge and expence: And whereas the ſaid John Ellis hath freely and voluntarily conſented to uphold and keep in good order and repair the ſaid barrack, for the future, at his own expence, in caſe he can have a grant of ninety-two acres of the ſaid one hundred acres of land, to him, his heirs, and aſſigns, for ever, reſerving the remaining eight acres of the ſaid land to your majeſty, for the uſe of the ſaid barrack, which will be a ſufficient quantity of land for that purpoſe: And whereas the other uſes in the ſaid act mentioned are either become unneceſſary, or the ſame cannot be executed: In conſideration whereof, and of the charges and expences which the ſaid John Ellis hath been already put to, in repairing, amending, and upholding the ſaid barracks, being conſiderably more than the real value of all the ſaid land, and alſo of his opening and clearing the ſaid land, upon the faith and confidence that he ſhould not be diſturbed in his poſſeſſion thereof, and in order to prevent any diſputes hereafter touching or concerning the ſame, and to encourage the ſaid John Ellis to proceed in his ſaid ſettlement, We, your majeſty's moſt dutiful and loyal ſubjects, the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the governor council, and aſſembly of your majeſty's ſaid iſland, and it is hereby enacted by the authority of the ſame, That the ſaid one hundred acres of land, ſituate, lying, and being at Great-River, in the ſaid pariſh of Weſtmorland, upon part whereof the ſaid barrack is erected and built, and every part and parcel thereof, from and immediately after the paſſing hereof, ſhall be, and the ſame are hereby, veſted in your majeſty, your heirs and ſucceſſors, fully and abſolutely freed and diſcharged from all uſes and truſts whatſoever, in order to enable your majeſty to re-grant the ſame, and every part thereof (ſaving

100 acres of barrack land at Great-River re-vested in the crown, that 92 acres of them may be re-granted to John Ellis;

ſaving and excepting eight acres thereof, to be reſerved for the uſe of the ſaid barrack, and next adjoining to the ſame), to the ſaid John Ellis, his heirs and aſſigns, for ever; under condition that the ſaid John Ellis, his heirs and aſſigns, do and ſhall for ever hereafter uphold, maintain, and keep the ſaid barrack in good order and repair, fit for the reception of your majeſty's ſoldiers therein; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding: Provided always nevertheleſs, That this act, or any article, matter, or thing herein contained, ſhall not take place, or be of any force or effect, until the ſame ſhall have received your majeſty's royal approbation; any law, cuſtom, or uſage, to the contrary notwithſtanding.

who is, in conſideration thereof, to keep the barrack in repair for ever.

This act not to be in force till confirmed.

CAP. VII.

An act for appointing Stephen Fuller, eſquire, an agent in Great-Britain, to ſolicit the paſſing of laws, and other public affairs of this iſland; and empowering certain members of the council and aſſembly, during the intervals of aſſembly, from time to time, as occaſion ſhall be, to give inſtructions for ſuch his management; and to repeal an act entitled, "An act to appoint commiſſioners of correſpondency, to direct the management of the public affairs of this iſland in Great-Britain." —[9th November, 1764.]

EXPIRED.

CAP. VIII.

An act to explain and enlarge part of an act of the governor, council, and aſſembly of this island, entitled, "An act to prevent the abuſes committed by entertaining, concealing, or carrying off, any of his majeſty's ſoldiers, any white men or women ſervants, or ſlaves, [belonging to any of the inhabitants of this island] *without tickets; and for the better regulating ſervants, and deciding differences between maſters and ſervants;" and to prevent the ſale of arms and cloaths by ſoldiers and deſerters.*

[18th December, 1764.]

WHEREAS doubts have ariſen whether the penalties and proviſions, contained in an act of the governor, council, and aſſembly of this iſland, entitled, *An act to prevent the abuſes committed by entertaining, concealing, or carrying off, any of his majeſty's ſoldiers, any white men or women ſervants, or ſlaves, belonging to any of the inhabitants of this iſland, without tickets; and for the better regulating ſervants, and deciding differences between maſters and ſervants*, extend to perſons entertaining, concealing, or carrying off, the ſoldiers of your majeſty's thirty-ſixth and ſixty-ſixth regiments, now in this iſland, or the ſoldiers of any other regiments or companies which your majeſty, in your great wiſdom, may hereafter think fit to ſend to this iſland: For removing of all ſuch doubts, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly

Preamble.

9 Geo. II. cap. 9.

assembly of this your majesty's island of Jamaica, humbly beseech your majesty that it may be enacted, and be it enacted by the governor, council, and assembly, of this your majesty's said island, and it is hereby enacted and ordained by the authority of the same, That all the penalties and provisions contained in the herein before-mentioned act, so far as the same relate to the entertaining, concealing, or carrying off, any of his majesty's soldiers, shall extend, and be construed to extend, to all and every person or persons entertaining, concealing, or carrying off, any soldier belonging to either of your majesty's regiments now in this island, or to the persons entertaining, concealing, or carrying off, the soldiers belonging to any regiment, company, or other corps, which your majesty may hereafter send here, as much and as fully as if the same were here particularly enumerated, expressed, and re-enacted.

Penalties in the above-recited act to be inflicted on those who entertain soldiers at any time stationed in this island.

II. And whereas, there is reason to believe that divers ill-disposed persons, by barter, exchange, or otherwise, receive, from the soldiers in this island, arms, cloaths, caps, ammunition, and furniture, belonging to your majesty, to the great prejudice of the service: For prevention thereof, Be it enacted by the authority aforesaid, That if any persons shall knowingly detain, buy, exchange, or otherwise receive, any arms, ammunition, cloaths, caps, or other furniture, belonging to the king, from any soldiers, deserter, or any other person, upon any account whatsoever, or cause the colour of such cloaths to be changed, the person so offending shall forfeit, for every such offence, the sum of five pounds; and, upon conviction, upon the oath of one or more credible witness or witnesses, before any of your majesty's justices of the peace, the said penalty of five pounds shall be levied, by warrant under the hand of the said justice or justices of the peace, by distress and sale of the goods and chattels of the said offender; the one moiety of the said penalty to the informer, and the residue to the officer to whom such soldier or deserter did belong: And in case any such offender, who shall be convicted as herein is last mentioned, shall not have sufficient goods and chattels whereon distress may be made, to the value of the said penalty recovered against him or her for such offence, or shall not pay such penalty within four days after such conviction, then, and in such case, such justice of the peace shall and may, by warrant under his hand and seal, either commit such offender to the common gaol, without bail or mainprise, for the space of three months, or cause such offender to be publicly whipped, at the discretion of such justice.

Penalty of 5*l.* on receiving soldiers accoutrements, or dying their cloaths.

Recovery thereof, and application.

Where penalty cannot be levied, offender to be imprisoned or whipped.

CAP. IX.

REPEALED. *An act to repeal a clause in an act entitled, "An act for obliging the justices and vestry of the parish of St. Mary to make good certain deficiencies to the public; and for altering the day of electing vestrymen and churchwardens in the said parish;" and to appoint a day in each year for the choosing vestrymen, and other parochial officers, in the said parish.*—[18th December, 1764.]

Anno

Anno regni Georgii tertii ſexto.

CAP. I.

An act to make void all bills, bonds, mortgages, judgments, recogniſances, fines, and amerciaments, and all and every other writings obligatory whatſoever, whereon no payment hath been or ſhall be made, or which have not been or ſhall not be legally demanded, within the ſpace of twenty-one years from the time they reſpectively became or ſhall become due, or from the laſt payment thereon. —[12th Auguſt, 1766.]

DISALLOWED.

CAP. II.

An act to enable the juſtices and veſtry of the pariſhes of St. Catherine and St. Mary, more effectually to repair the highways in the ſaid pariſhes.—[12th August, 1766.]

Preamble.

WHEREAS it is found neceſſary to give further power and authority, to the juſtices and veſtry of the pariſhes of St. Catherine and St. Mary, to enable them to keep the ſeveral highways in the ſaid pariſhes in good repair: We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's ſaid iſland, and it is hereby enacted by the authority of the ſame, That, from and after the paſſing of this act, it ſhall and may be lawful to and for the juſtices and veſtry of the pariſhes of St. Catherine and St. Mary, from time to time, and as often as they ſhall think proper, to make allotments of cattle, carts, and negroes, or to iſſue their orders to the churchwardens for purchaſing, at the pariſh charge, all ſuch working cattle, carts, crows, pickaxes, gunpowder, and other implements, as ſhall be thought neceſſary for making, repairing, and amending, the ſaid roads in the ſaid pariſhes; all which ſaid cattle, carts, gunpowder, and other implements, ſhall be and remain under the care and direction of the waywardens for the time being, to be from time to time employed upon the ſaid highways; and if it ſhall happen that the aforeſaid cattle, while they are working on the ſaid highways, cannot be otherwiſe ſupported than by purchaſing of graſs or other fodder, the ſame ſhall be paid for by the churchwardens, out of the pariſh ſtock.

Juſtices and veſtry of the two pariſhes enabled to procure ſlaves and neceſſaries for repairing the roads.

II. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall neglect or refuſe to ſend their proper allotments of negroes or cattle, he, ſhe, or they ſhall, for every negro they neglect to ſend, forfeit the ſum of three ſhillings, and ſhall, for all ſuch cattle as they

Penalty on perſons neglecting to ſend allotments of negroes or cattle.

refuſe or neglect to ſend, forfeit the ſum of three ſhillings, for every day they ſhall be ſo deficient; to be levied and applied in like manner as the penalties and forfeitures, under an act entitled, *An act for the better amending the highways*, are directed to be levied and applied.

Recited act is repealed.

III. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the juſtices and veſtry, whenever they ſhall find it neceſſary, on any extraordinary labour to be done on the highways aforeſaid, to hire a proper perſon to attend the ſame, under the direction of the waywardens, at the pariſh charge: Provided, That the number of negroes to be under the care and direction of ſuch perſon ſhall not be leſs than ſixty; and that ſuch white perſon ſhall not be allowed above ſeven ſhillings and ſix pence *per* day.

On extraordinary occaſions, a white perſon may be hired, taking charge of ſixty negroes. His pay.

IV. And whereas the highways are often rendered very dangerous, and ſometimes unpaſſable, occaſioned chiefly by working of heavy carriages with narrow wheels upon the ſaid highways: Be it further enacted by the authority aforeſaid, That, from and after the paſſing this act, no wain, cart, waggon, or other carriage, for carrying any ſugar, rum, or any other goods (a cart to be drawn by a ſingle beaſt excepted), ſhall be allowed to work, paſs, or repaſs, in or upon any of the highways in the ſaid pariſhes, unleſs the wheels of ſuch wain, cart, waggon, or other carriage, ſhall be at leaſt ten inches broad in the fellies of the ſaid wheels: And in caſe any ſuch wain, cart, waggon, or other carriage, ſhall, after the time above mentioned, be found working, paſſing, or repaſſing, on the ſaid highways in the ſaid pariſhes, with wheels of leſſer breadth in the fellies than what are hereby preſcribed as aforeſaid, it ſhall and may be lawful to and for the churchwardens and waywardens of the ſaid pariſhes, and they are hereby authorized and empowered, to cauſe the ſame to be ſtopped, ſeized, taken, and detained; and, upon proof made on oath of ſuch offence, before any juſtice of the peace of the pariſh where ſuch wain, cart, waggon, or other carriage, ſhall be worked (which ſaid oath the ſaid juſtice is hereby empowered to adminiſter), ſuch juſtice ſhall condemn the ſaid cart, wain, waggon, or other carriage, to be ſold; and the monies ariſing therefrom ſhall be paid to the churchwarden or churchwardens in either of the above-mentioned pariſhes where ſuch wain, cart, waggon, or [*other*] carriage, ſhall be worked, to be laid out in the repair of the highways of the ſaid pariſh.

No wains, &c. allowed to paſs, unleſs the wheels are ten inches broad in the fellies.

Carriages with narrower wheels to be ſeized and ſold.

Proceeds applied to repair of the roads.

CAP. III.

EXPIRED. *An act to inflict further puniſhment on perſons receiving ſtolen goods, knowing them to be ſtolen*—[12th Auguſt, 1766.]

CAP.

CAP. IV.

An act to vest certain parcels of land, situate, lying, and being, in the parish of St. Catherine, in the justices, vestrymen, and churchwarden or churchwardens, of the said parish, and the justices, vestrymen, and churchwarden or churchwardens, of the said parish for the time being, for the use of the inhabitants of the said parish; and to enable the present justices, vestrymen, and churchwarden or churchwardens, of the said parish, or the justices, vestrymen, and churchwarden or churchwardens for the time being, to maintain or defend any suit or suits at law or in equity for recovery of the same, or any part or parcel thereof, and to make leases of part of the said lands, for the use of the said parish.—[12th August, 1766.]

Preamble.

WHEREAS his late majesty king Charles the second, by his letters patent under the broad seal of this island, bearing date the thirtieth day of November, in the twentieth year of his reign, did, for the considerations therein mentioned, give and grant unto Thomas Ballard, Hender Molesworth, Edmund Duke, William Molins, John Noy, and Humphry Freeman, esquires, as trustees for the inhabitants of the town of St. Jago de la Vega, and for their use and benefit, all that parcel of savanna land, containing twelve hundred and ten acres, situate, lying, and being, at the town savanna, in St. Catherine's parish; bounding south-east on John Wellin and Thomas Lily; easterly on Runaway Grounds, negro-houses, Whitechapel, sir Thomas Modyford [*and*] major Bayly; north-west on Edward Coffin; and westerly on sir Thomas Modyford, Richard Hemmings, and gully; as in and by the said letters patent, of record in the secretary's office of this island, may appear: And whereas afterwards, that is to say, on the thirteenth day of June, in the year of our Lord one thousand six hundred and eighty-seven, another piece or parcel of land, containing by estimation thirty-four acres, but since found, upon a re-survey, to contain no more than twenty-five acres, was patented by Fulke Rose and Thomas Ballard, esquires, churchwardens of the said parish of St. Catherine, for the sole use and benefit of the said parish; which said two pieces or parcels of land do contain, in the whole, one thousand two hundred and thirty-five acres: And whereas the said piece or parcel of land containing twelve hundred and ten acres is vested in the said Thomas Ballard, Hender Molesworth, Edmund Duke, William Molins, John Noy, and Humphry Freeman, and their heirs and assigns, in trust for the said parish; and also

the ſaid piece or parcel of land containing thirty-four acres, but on a reſurvey thereof found to contain twenty-five acres, is veſted in the ſaid Fulke Roſe and Thomas Ballard, eſquires, and their heirs, in truſt for the ſaid pariſh; and great part of the ſaid lands have been in the poſſeſſion, from the paſſing of the ſaid patents, of the juſtices, veſtrymen, and churchwardens of the ſaid pariſh, and others, for the benefit of the inhabitants thereof, or in the poſſeſſion of ſome perſon or perſons in truſt for them, or claiming under them: And whereas all and every of the ſaid patentees have been long ſince dead, without heirs or other repreſentatives in whom the legal title to the ſaid above-recited two pieces or parcels of land is veſted, or are gone off this iſland to parts unknown; by means whereof the juſtices, veſtrymen, and churchwardens, of the ſaid pariſh of St. Catherine, cannot compel a performance of the truſt in them reſpectively repoſed by the ſaid inhabitants of the ſaid pariſh: And whereas many treſpaſſes have been, and may hereafter be, committed upon the ſaid lands, to the great detriment and loſs of the ſaid pariſh, and the inhabitants thereof, who are and may be, for the reaſons aforeſaid, under great difficulties, and entirely remedileſs, at law or in equity, for want of a proper perſon to maintain and defend the right and title to the ſaid lands, or to recover againſt thoſe who have or may hereafter commit treſpaſſes on the ſame, and be thereby defeated of the benefit intended to the ſaid inhabitants by the ſaid letters patent: And whereas the ſaid lands, being contiguous or adjoining to the ſaid town of St. Jago de la Vega, and ſituated on or towards the ſouth, and weſt, and north ſides thereof, were originally deſigned and intended to be and remain as an open ſavanna or common to the ſaid town: And whereas the clearing and keeping open the whole of the lands, containing one thouſand two hundred and thirty-five acres, would be too great a charge and burden on the ſaid pariſh, and five hundred acres, if properly cleaned and taken care of, would be ſufficient for a common or ſavanna to the ſaid town, and the remainder might in time become a conſiderable advantage and benefit to the ſaid pariſh, if the ſaid juſtices and veſtry were empowered to leaſe or rent the ſame: For remedy, therefore, of the inconveniencies aforeſaid, and for the better anſwering and fulfilling the intention and deſign of granting and patenting the ſaid lands, May it pleaſe your moſt excellent majeſty that it may be enacted, and be it enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's ſaid iſland, and it is hereby enacted and ordained by the authority of the ſame, That the cuſtos for the pariſh and precinct of St. Catherine for the time being, and ſuch juſtices of the ſaid pariſh and precinct as are freeholders of the ſaid pariſh of St. Catherine (and not otherwiſe), and the veſtrymen and churchwardens for the time being, and their ſucceſſors, ſhall, and they are hereby declared to, be a body incorporate, for the purpoſes herein mentioned, and no further: And they, and the ſucceſſors of the cuſtos and juſtices who ſhall be freeholders of the ſaid pariſh, and the ſucceſſors of the ſaid veſtrymen and churchwardens, or the majority of them preſent, ſhall, from and after the paſſing of this act, when

Certain magiſtrates, with the veſtry, erected into a body incorporate, for the purpoſes of this act;

who, when met in veſtry, may leaſe the lands.

when duly ſummoned and met in veſtry, and not otherwiſe, have full power and lawful authority, from time to time, to demiſe, leaſe, and to farm let, any part of the ſaid pariſh lands (except the ſaid five hundred acres, ſo reſerved as aforeſaid, or ſuch part thereof now remaining as is a common, or not fenced in and built upon, or not planned out for lots of foot-land), "for any term not exceeding ninety-nine years, at an annual rent, not leſs than five ſhillings *per* acre, for all ſuch lots of the ſaid land as ſhall be ſo leaſed by the acre, each lot whereof not to contain leſs than five acres; and for all ſuch lots of the ſaid land as ſhall be ſo leaſed by the foot, at an annual rent not leſs than ſix pence *per* foot, to be computed in the manner as foot-lands are chargeable for quit-rents:" Provided nevertheleſs, That, for the future, no leaſe of the ſaid lots or parcels of pen-land, belonging to the ſaid pariſh, ſhall be made, aſſigned over, or bequeathed, to any negro, Indian, or mulatto, or to their deſcendants, who, by the laws of this iſland, are diſabled from voting for veſtrymen or repreſentatives in the aſſembly, except ſuch free negroes, Indians, or mulattoes, as are already poſſeſſed of any lot or parcel of land under or by virtue of any leaſe or other grant from the juſtices and veſtrymen of the ſaid pariſh, and their deſcendants, and alſo ſuch free negroes, Indians, or mulattoes, who have paid, or ſhall hereafter pay, parochial taxes, or have ſerved, or ſhall hereafter ſerve, in the militia of the ſaid pariſh.

The part between inverted comma's REPEALED.

Leases not to be assigned to negroes, or their descendants,

unless they enjoy certain qualifications.

II. And be it enacted by the authority aforeſaid, That the cuſtos, juſtices, and veſtrymen, for the time being, and their ſucceſſors, together with the churchwarden or churchwardens for the time being, or the majority of them, ſhall have full power and lawful authority, by the name of THE VESTRY AND CHURCHWARDEN or churchwardens OF THE PARISH OF ST. CATHERINE, or the majority of them, to ſue and be ſued, implead and be impleaded, to anſwer and be anſwered unto, in all manner of courts and places that now are or ſhall hereafter be in this iſland, in all manner of ſuits whatſoever, or of what nature or kind ſoever ſuch ſuits or actions be, or ſhall be, relating to the ſaid pariſh lands, or for recovery of any debts, dues, legacies, or bequeſts, which are or ſhall be due, or left and bequeathed, to and for the benefit of the ſaid pariſh, in as ample a manner and form, and to all intents, conſtructions, and purpoſes, as any perſon or perſons, bodies politic and corporate in the realm of England, being able perſons in the law, may do.

Corporation may sue or defend suits in law or equity.

III. And be it enacted by the authority aforeſaid, That all monies ariſing from the annual rents, iſſues, and profits, of the ſaid pariſh land, after deducting the charges for collecting the ſame, which ſhall be collected by the collecting conſtable for the ſaid pariſh, and be by him paid into the hands of the churchwarden or churchwardens of the ſaid pariſh for the time being, who ſhall, and they are hereby required to, apply and diſpoſe of the ſame as directed by the ſaid veſtry for the time being, for and towards diſcharging

Rents arising to defray the contingent charges of the parish.

charging the contingent charges of the ſaid pariſh, and in relief of parochial taxes from year to year.

Annual expenditure not to exceed income.

IV. Provided always, and it is hereby enacted, That the ſaid juſtices, veſtrymen, and churchwardens, of the ſaid pariſh for the time being, nor their ſucceſſors, ſhall not by any means anticipate the application of the ſaid rents, iſſues, and profits, of the ſaid lands, to any uſe or purpoſe whatſoever, nor direct payment to be made thereout for any other uſe or purpoſe than for ſuch as ſhall occur from year to year, or for any greater or larger ſum or ſums, from year to year, than for the amount of the rents, iſſues, and profits, of one year only.

This act invalid till confirmed.

V. Provided always, That this act, or any clauſe, article, or thing, herein contained, ſhall not take place, or be of any force or effect, until the ſame ſhall have received your majeſty's royal approbation; any law, cuſtom, or uſage, to the contrary notwithſtanding.

CAP. V.

EXPIRED. *An act for laying a duty on all wines, rum, and other ſpirituous liquors, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wine and other liquors; and for laying a tax on ſupercargoes, and on the public officers; and applying the ſame to ſeveral uſes.*—[12th Auguſt, 1766.]

CAP. VI.

EXPIRED. *An act for the prevention of indebted perſons from departing this iſland in the time of martial law; and to empower the judges and juſtices to exerciſe their ſeveral offices in certain caſes; and to empower the juſtices and veſtry, and churchwardens, and ſurveyors of highways, to diſcharge their ſeveral duties; and to enable landlords to diſtrain for rent, notwithſtanding martial law.*—[12th Auguſt, 1766.]

CAP. VII.

EXPIRED. *An act for eſtabliſhing and declaring rules and articles of war.*—[12th Auguſt, 1766.]

CAP. VIII.

EXPIRED. *An act to explain, amend, and render more effectual, an act entitled, "An act to augment the ſalary of his excellency George Haldane, eſquire; and for providing certain lands and premiſes to be annexed to the government, for the uſe of the governor for the time being."*—[12th Auguſt, 1766.]

CAP. IX.

EXPIRED. *An act for granting an additional ſalary to his honour Roger Hope Elletſon, eſquire, lieutenant-governor and commander in chief, during his adminiſtration.*—[12th Auguſt, 1766.]

CAP. X.

DISALLOWED. *An act for the ſetting mutual debts one againſt the other.*—[12th Auguſt, 1766.]

CAP.

CAP. XI.

An act to repeal part of an act entitled, "*An act for the better order and government of ſlaves;*" *and alſo one other act, entitled,* "*An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;*" *and alſo part of one other act, entitled,* "*An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled,* 'An act for the better order and government of ſlaves;' *and the other entitled,* 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" *and alſo one other act, entitled,* "*An act to repeal part of an act, entitled,* 'An act for the better order and government of ſlaves;' *and alſo of one other act, entitled,* 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;' *and alſo part of one other act entitled,* 'An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, 'An act for the better order and government of ſlaves,' *and the other entitled,* 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;' *and for the more effectual preventing the inveigling, hiding, concealing, or employing, the ſlaves of others; and for rendering the puniſhment of ſuch offenders more certain and effectual;*" *and for the ſpeedy and more effectual puniſhment of perſons hiding, concealing, inveigling, detaining, knowingly harbouring, or employing, the ſlaves of others.*—[12th Auguſt, 1766.] EXPIRED.

CAP. XII.

An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting the officers and ſoldiers of his majeſty's thirty-ſixth and ſixty-ſixth regiments of foot.—[3d September, 1766.] EXPIRED.

CAP. XIII.

An act to reſtrain the working carriages of burthen, within the pariſhes of St. Dorothy and Clarendon, but with broad wheels, on the highways in the ſaid pariſhes.

[3d September, 1766.]

WHEREAS the highways are often rendered very dangerous, and ſometimes unpaſſable, from Old-Harbour Bay, in the pariſh of St. Dorothy, through all the roads leading to and from the different eſtates in the ſaid pariſhes of St. Dorothy and Clarendon; and the public Preamble.

public highways in the ſaid two pariſhes are likewiſe rendered almoſt unpaſſable, occaſioned chiefly by the working of heavy carriages with narrow wheels upon the ſaid highways: We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this iſland, and it is hereby enacted and ordained by the authority of the ſame, That, from and after the firſt day of January, which will be in the year of our Lord one thouſand ſeven hundred and ſixty-eight, no wain, cart, waggon, or other carriage, for carrying any ſugar, rum, or any other goods (a cart to be drawn by a ſingle beaſt, or trucks with two wheels for drawing of timber, excepted), ſhall be allowed to work, paſs, or repaſs, in or upon any of the highways in the ſaid two pariſhes, unleſs the wheels of ſuch wain, cart, waggon, or other carriage, ſhall be at leaſt nine inches broad in the fellies of the ſaid wheels: And in caſe any ſuch wain, cart, waggon, or other carriage, ſhall, after the time above mentioned, be found working, paſſing, or repaſſing, on the ſaid highways, with wheels of leſſer breadth in the fellies than what are hereby preſcribed as aforeſaid, it ſhall and may be lawful to and for any perſon or perſons whatſoever, and they are hereby authorized and empowered, to cauſe the ſame to be ſtopped, ſeized, taken, and detained; and, upon proof made on oath of ſuch offence, before any juſtice of the peace of the ſaid pariſhes where ſuch wain, cart, waggon, or other carriage, ſhall be worked, ſuch juſtice ſhall condemn the ſaid wain, cart, waggon, or other carriage, to be ſold; and the monies ariſing therefrom ſhall be paid to the churchwarden or churchwardens of the ſaid pariſhes reſpectively, to be laid out in the repairs of the highways of the ſaid pariſhes reſpectively; which ſaid oath ſuch juſtice is hereby authorized and empowered to adminiſter: Provided nevertheleſs, That any perſon or perſons may uſe, employ, or work, upon the ſaid highways, any waggon, or other four-wheel carriages, for conveyance of goods as aforeſaid, the wheels whereof ſhall be ſix inches broad in the fellies, and the fore axle-trees whereof ſhall be one foot ſhorter, or one foot longer, than the after axle-trees of ſuch waggon or other four-wheel carriages before mentioned; any thing in this act to the contrary in anywiſe notwithſtanding.

No wains, &c. to pass on said roads, unless the wheels are nine inches broad in the fellies.

Those with narrower wheels to be seized and sold.

Proceeds to go to repair of the roads.

Fellies of six inches may be used, if axles differ in length.

II. And be it further enacted by the authority aforeſaid, That, after the ſaid firſt day of January, which will be in the year of our Lord one thouſand ſeven hundred and ſixty-eight, no wain, cart, waggon, or other carriage, as aforeſaid, for carrying ſugar, rum, or other goods (a cart to be drawn by a ſingle beaſt, and timber trucks on two wheels, as aforeſaid, excepted), ſhall be allowed to work, paſs, or repaſs, in or upon the ſaid roads or highways, unleſs the wheels of ſuch wain, waggon, or other carriage, ſhall be at leaſt nine inches in the fellies of the ſaid wheels, and except as before provided and excepted, under the ſame penalties as are before directed in this law againſt all wains, waggons, or other carriages as aforeſaid, found working, paſſing, or repaſſing, in or upon the highways aforeſaid.

Prohibition of narrower wheels.

CAP.

CAP. XIV.

An act for the better order and government of the negroes belonging to the ſeveral negro-towns, and for preventing them from purchaſing of ſlaves; and for encouraging the ſaid negroes to go in purſuit of runaway ſlaves.—[3d September, 1766.] EXPIRED.

CAP. XV.

An act for the relief and better regulation of the poor; and to oblige maſters of ſhips and other veſſels to indemnify the ſeveral pariſhes of this iſland, againſt any charges and expences for ſupporting and curing their ſick, maimed, infirm, or diſabled ſeamen.—[3d September, 1766.] EXPIRED.

CAP. XVI.

An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.—[12th September, 1766.] EXPIRED.

CAP. XVII.

An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports; and on houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.—[12th September, 1766.] EXPIRED.

CAP. XVIII.

An act to enable the juſtices and veſtry of St. Thomas in the Vale, more effectually to repair the highways in the ſaid pariſh, and the highway leading from the ſaid pariſh to the town of St. Jago de la Vega.—[12th September, 1766.]

WHEREAS it is found neceſſary to give further power and authority to the juſtices and veſtry of St. Thomas in the Vale, to enable them to keep the ſeveral highways in the ſaid pariſh, and the highway leading to the town of St. Jago de la Vega from the ſaid pariſh of St. Thomas in the Vale, in good repair: We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's ſaid iſland, and it is hereby enacted by the authority of the ſame, That, from and after the paſſing of this act, it ſhall and may be lawful to and for the juſtices and veſtry of the pariſh of St. Thomas Preamble. Juſtices and veſtry enabled to pro-

cure slaves and necessaries for repairing the different roads.

Thomas in the Vale, from time to time, and as often as they ſhall think proper, to make allotments of cattle, carts, and negroes, or to iſſue their orders to the churchwardens for purchaſing, at the pariſh charge, all ſuch working cattle, carts, crows, pickaxes, gunpowder, and other implements, as ſhall be thought neceſſary for making, repairing, and amending, the ſeveral highways in the ſaid pariſh, and that leading from the ſaid pariſh of St. Thomas in the Vale to the town of St. Jago de la Vega aforeſaid; all which ſaid cattle, carts, gunpowder, and other implements, ſhall be and remain under the care and direction of the waywardens for the time being, to be from time to time employed upon the ſaid highways; and if it ſhall happen that the aforeſaid cattle, while they are working on the ſaid highways, cannot be otherwiſe ſupported than by purchaſing of graſs or other fodder, the ſame ſhall be paid for by the churchwardens, out of the pariſh ſtock.

Penalty on perſons neglecting to ſend negroes or cattle.

II. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall neglect or refuſe to ſend their proper allotments of negroes or cattle, he, ſhe, or they ſhall, for every negro they neglect to ſend, forfeit the ſum of three ſhillings *per* day; and ſhall, for all ſuch cattle as they refuſe or neglect to ſend, forfeit the ſum of three ſhillings *per* head, *per* day, for every day they ſhall be ſo deficient; which ſaid forfeitures ſhall be levied and applied in like manner, as the forfeitures for default of ſending workers on the highways are recoverable, by an act of this iſland entitled, *An act for the better amending the highways.*

Recited act is repealed.

On extraordinary occaſions, an overſeer may be hired, if ſixty negroes under him.
His pay.

III. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the juſtices and veſtry, whenever they ſhall find it neceſſary, in any extraordinary labour to be done on the highways, to hire a proper perſon to attend the ſame, under the direction of the waywardens, at the pariſh charge: Provided, That the number of negroes to be under the care and direction of ſuch perſon ſhall not be leſs than ſixty; and that ſuch perſon ſhall not be allowed above ſeven ſhillings and ſix pence *per* day.

Wheels of wains, &c. to be ten inches broad in the fellies.

IV. And whereas the highways are often rendered very dangerous, and ſometimes unpaſſable, occaſioned chiefly by the working of heavy carriages with narrow wheels upon the ſaid highways; Be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, no wain, cart, waggon, or other carriage, for carrying any ſugar, rum, or any other goods, ſhall be allowed to work, paſs, or repaſs, in or upon any of the highways in the ſaid pariſh, or the highway leading to the town of St. Jago de la Vega, unleſs the wheels of ſuch wain, cart, waggon, or other carriage, ſhall be at leaſt ten inches [*broad*] in the fellies of the ſaid wheels: And in caſe any ſuch wain, cart, waggon, or other carriage, ſhall, after the time above mentioned, be found working, paſſing, or repaſſing, on the ſaid highways in the ſaid pariſh, and the highway leading to the ſaid town of

Carriages with narrower wheels to be ſeized and ſold.

of St. Jago de la Vega, with wheels of leſſer breadth in the fellies than what are hereby preſcribed as aforeſaid (except any cart drawn by one horſe, mule, or aſs only), it ſhall and may be lawful to and for the churchwardens and waywardens of the ſaid pariſh, and they are hereby authorized and empowered, to cauſe the ſame to be ſtopped, ſeized, taken, and detained; and, upon proof made on oath of ſuch offence, before any juſtice of the peace of the ſaid pariſh (which ſaid oath the ſaid juſtice is hereby empowered to adminiſter), ſuch juſtice ſhall condemn the ſaid cart, wain, waggon, or other carriage, to be ſold; and the money ariſing therefrom ſhall be paid to the churchwardens, to be laid out in the repairs of the highways of the ſaid pariſh. Appropriation of the proceeds.

CAP. XIX.

An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.—[12th September, 1766.] EXPIRED.

Anno regni Georgii tertii ſeptimo.

CAP. I.

An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's thirty-ſixth and ſixty-ſixth regiments of foot.—[14th December, 1766.] EXPIRED.

CAP. II.

An act for laying a duty on all wines, rum, and other ſpirituous liquors, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wine and other liquors; and for laying a tax on ſupercargoes, and on the public officers; and applying the ſame to ſeveral uſes; to continue for a certain time two ſeveral acts, paſſed the laſt ſeſſion of aſſembly, the one entitled, "An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſe; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections," and the other entitled, "An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports; and on houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes."—[14th December, 1766.] EXPIRED.

CAP. III.

An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to pro- EXPIRED.

tect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.—[14th December, 1766.]

Anno regni Georgii tertii octavo.

CAP. I.

EXPIRED. *An act to limit the duration of the ſeveral courts of juſtice in this iſland, and to enable one judge of the ſupreme court of judicature, and one juſtice of the courts of aſſize of the counties of Surrey and Cornwall, to open and adjourn the ſaid courts reſpectively.*—[10th December, 1767.]

CAP. II.

EXPIRED. *An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof."*—[10th December, 1767.]

CAP. III.

EXPIRED. *An act for appointing Stephen Fuller, eſquire, an agent in Great-Britain, to ſolicit the paſſing of laws, and tranſacting in Great-Britain other public affairs of this iſland; and for empowering certain members of the council and aſſembly, during the intervals of aſſembly, from time to time, as occaſion ſhall be, to give inſtructions for ſuch his management.*—[10th December, 1767.]

CAP. IV.

EXPIRED. *An act to oblige the ſeveral collecting conſtables of the reſpective pariſhes of this iſland, in a ſummary manner, to pay over the parochial taxes into the hands of the reſpective churchwardens.*—[10th December, 1767.]

CAP. V.

EXPIRED. *An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.*—[10th December, 1767.]

CAP. VI.

EXPIRED. *An act for raiſing a tax by the poll, and on trades; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.*—[21ſt December, 1767.]

CAP.

CAP. VII.

An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's thirty-ſixth and ſixty-ſixth regiments of foot; and to enable the juſtices and veſtry, of ſome of the inland pariſhes of this iſland, to erect or build a convenient houſe for the carrying [on] *the parochial and public buſineſs of the ſaid pariſhes, and for paying for the ſame out of the parochial taxes.*—[31ſt December, 1767.]

EXPIRED.

CAP. VIII.

An act to veſt a certain piece or parcel of land in the pariſh of St. Dorothy, in trustees, for the use of the inhabitants of the said pariſh; and for veſting a certain piece of foot-land in John Spencer; and to empower the juſtices and veſtry of the said pariſh of St. Dorothy, to raiſe a tax upon the inhabitants of the said pariſh, for certain purpoſes.

[21ſt December, 1767.]

WHEREAS the juſtices and veſtry of the pariſh of St. Dorothy did heretofore purchaſe a certain piece or parcel of land, at or near Old-Harbour Bay, in the ſaid pariſh, containing ſixteen acres, more or leſs, on which a dwelling-houſe and other houſes were erected and built, of and from Daniel Moore, Richard Watt, and Thomas Glough, for and in conſideration of the ſum of five hundred pounds, raiſed on the inhabitants of the ſaid pariſh, with an intent that the ſame ſhould be and remain for the uſe of the ſaid pariſh, to be by them appropriated as a barrack for ſoldiers, or ſuch other purpoſes as the juſtices and veſtry of the ſaid pariſh ſhould think proper; in conſequence whereof, the ſaid Daniel Moore, Richard Watt, and Thomas Glough, of the pariſh of Kingſton, in the county of Surrey, merchants, did, by an indenture of bargain and ſale, bearing date the firſt day of November, one thouſand ſeven hundred and ſixty-one, convey the ſame unto Richard Lewing and Matthew Halſted, of the pariſh of St. Dorothy, in the county of Middleſex, merchants, then churchwardens of the ſaid pariſh of St. Dorothy; which ſaid piece or parcel of land became veſted in the ſaid Daniel Moore, Richard Watt, and Thomas Glough, by virtue of a deed of conveyance made to them by Andrew Elrick and Mary his wife, bearing date the fifth day of April, one thouſand ſeven hundred and ſixty: And whereas ſome doubts have ariſen, and others may hereafter ariſe, in regard to the ſufficiency of the conveyance aforeſaid, made to Richard Lewing and Matthew Halſted, churchwardens of the pariſh of St. Dorothy, how far the ſame may convey a property in the premiſes to the inhabitants of the pariſh of St. Dorothy: For prevention whereof, Your moſt dutiful and loyal ſubjects, the lieutenant-governor, council, and aſſembly, of this your iſland of Jamaica,

Preamble.

Jamaica, moſt humbly beſeech your majeſty that it may be enacted, and be it enacted by the lieutenant-governor, council, and aſſembly, and it is hereby enacted and ordained by the authority of the ſame, That, from and after the paſſing this act, the ſaid piece or parcel of land, with the erections and buildings thereon, containing by eſtimation ſixteen acres, more or leſs, ſo purchaſed as aforeſaid, be, and the ſame is hereby, veſted in George Bonner, John M'Leod, Thomas Brooks, Richard Lewing, and James Prevoſt, eſquires, their heirs or aſſigns, for ever; upon the eſpecial truſt and confidence, nevertheleſs, and to the intent and purpoſe, that the ſaid George Bonner, John M'Leod, Thomas Brooks, Richard Lewing, and James Prevoſt, ſhall hold the ſame for the uſe of the inhabitants of the ſaid pariſh; and that they, or any three of them, ſhall, from time to time, permit and ſuffer the juſtices and veſtry, or the major part of them, to appropriate the ſaid land and building, or any part thereof, to ſuch uſes and purpoſes as they ſhall think proper; and in caſe the ſaid juſtices and veſtry, or major part of them, ſhall think it neceſſary that the ſame, or any part thereof, ſhould be ſold, that then they, the ſaid George Bonner, John M'Leod, Thomas Brooks, Richard Lewing, and James Prevoſt, or any three of them, are hereby empowered, by one or more deed or deeds of conveyance or conveyances, or other aſſurances in the law, duly ſealed and delivered by them, or any three of them, abſolutely to grant, bargain, ſell, convey, and confirm, all or any part of the ſaid piece or parcel of land and premiſes as aforeſaid hereby veſted in them, their heirs and aſſigns, with their and every of their rights, members, and appurtenances, and the fee ſimple and inheritance thereof, unto one or more purchaſer or purchaſers, for the beſt price or prices that can be had or gotten for the ſame; and to the intent that ſuch perſon or perſons, who ſhall or may become purchaſer or purchaſers of all or any part of the ſaid piece of land and premiſes, with the appurtenances, which the ſaid George Bonner, John M'Leod, Thomas Brooks, Richard Lewing, and James Prevoſt, or any three of them, are hereby enabled, authorized, and empowered to grant, bargain, ſell, or convey, as aforeſaid, and the heirs or aſſigns of ſuch purchaſer or purchaſers reſpectively, ſhall and may ſecurely hold and enjoy all or any part of the ſaid piece or parcel of land and premiſes, with the appurtenances, which he, ſhe, or they, ſhall ſo purchaſe under and by virtue of this act.

Land and premises in St. Dorothy's vested in trustees,

for the use of that parish.

Trustees empowered to sell.

II. And be it further enacted by the authority aforeſaid, That all and every the receipt or receipts which ſhall be given by the ſaid George Bonner, John M'Leod, Thomas Brooks, Richard Lewing, and James Prevoſt, or any three of them, for the ſale or ſales of all or any part of the ſaid piece or parcel of land and premiſes, ſo as aforeſaid veſted in them, to ſuch purchaſer or purchaſers, for the purchaſe-money [*which*] ſhall be paid for the ſame, or any part thereof, ſhall be good and ſufficient diſcharges, both in law and equity, to ſuch purchaſer and purchaſers of the ſame, and that ſuch

Receipts given by the trustees to be effectual for the purchasers.

ſuch purchaſer or purchaſers may enjoy the ſame in fee ſimple: Saving to the king's moſt excellent majeſty, his heirs and ſucceſſors, and to all bodies politic and corporate, and to their reſpective ſucceſſors, and to all and every other perſon or perſons whatſoever, his and their heirs (except the above-named Andrew Elrick, Daniel Moore, Richard Watt, and Thomas Glough, and Richard Lewing and Matthew Halſted, and their ſucceſſors) church-wardens as aforeſaid), all ſuch right, title, intereſt, claim, and demand whatſoever, of, in, or to, the ſaid land herein directed to be ſold, or any part thereof, as they, or any of them, had, either in law or equity, at the time of making this act, or might or could have ſo had if this act had never been made. Saving rights.

III. And be it further enacted by the authority aforeſaid, That the ſaid George Bonner, John M'Leod, Thomas Brooks, Richard Lewing, and James Prevoſt, or any of them, ſhall, within ten days after the receipt of any of the purchaſe-money, for any ſale made under this act, pay over the ſame into the hands of the then churchwardens of the pariſh of St. Dorothy, for the uſe of the ſaid pariſh, under the penalty of forfeiting double the ſum which they, or any of them, ſhall ſo receive and not pay over; to be recovered in any of his majeſty's courts of record in this iſland, by bill, plaint, or information, by any perſon who ſhall ſue for the ſame; the one moiety to his majeſty, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof; the other moiety to the churchwardens of the pariſh of St. Dorothy, for the uſe of the ſaid pariſh; wherein no eſſoin, protection, wager of law, or *non vult ulterius proſequi*, ſhall be granted or allowed; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Purchase-money to be paid to church-wardens in ten days after received by trustees, under penalty of forfeiting double the sum received.

Recovery and application of penalty.

IV. And whereas, by a clauſe in an act entitled, *An act for laying a duty on all wines, rum, and other ſpirituous liquors, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wine and other liquors; and for laying a tax on ſupercargoes, and on the public officers; and applying the ſame to ſeveral uſes*, paſſed in the year one thouſand ſeven hundred and ſixty-three, it is enacted, That the commiſſioners appointed for carrying on the public buildings in the town of St. Jago de la Vega be, and they are thereby, empowered to ſell a certain piece of foot-land, near the ſouth end of the king's houſe, binding on the ſtreet leading from the parade, by the king's ſtables, to the houſe of Stephen Richard Redwood, eſquire, to Mr. John Spencer, for ſuch ſum of money as they ſhall think the ſame to be worth: And whereas, by virtue of the ſaid clauſe, the ſaid John Spencer had poſſeſſion of the ſaid land, and has been at ſome expence in erecting and building out-houſes and other buildings on ſaid land; notwithſtanding which premiſes, the ſaid John Spencer hath no legal title to the ſaid land, the ſaid law, empowering the ſaid commiſſioners to grant the ſame to him, having expired without any

Recited act is expired.

title

title being by them executed to him for the ſame: Be it therefore enacted, That the ſaid John Spencer, and his heirs and aſſigns, upon paying what the ſame ſhall be valued at, do hold the ſaid piece of foot-land, binding ſouth-weſterly, fourteen feet, on a ſtreet leading to the barracks; north-weſterly, ſixty feet, on the lane leading by the horſe-ſtables of the king's houſe; north-eaſterly, fourteen feet, on the land whereon are buildings lately belonging to Francis Matthe, deceaſed; and ſouth-eaſterly on the land and buildings of the ſaid John Spencer; to him and them, and his and their heirs and aſſigns, for ever: Provided nevertheleſs, and it is the intention of this act, That nothing herein contained ſhall in any ways affect the right of any perſon or perſons, who ſhall claim any legal or equitable right or title of, in, or to, the ſaid land and premiſes.

Ratification of John Spencer's title to land in St. Jago de la Vega.

Saving rights.

V. And be it further enacted by the authority aforeſaid, That, during the cantonment of the officers and ſoldiers in the houſes at Old-Harbour aforeſaid, the juſtices and veſtry be empowered to raiſe a tax upon the inhabitants of the ſaid pariſh, not to exceed the ſum of one hundred pounds annually, for the repairs of the barracks, and ſupplying the officers and ſoldiers with water, and providing lodgings for the officers.

Juſtices and veſtry of St. Dorothy's to lay a tax for accommodating ſoldiery.

CAP. IX.

An act for making free and rewarding two negro men ſlaves, the one named York, belonging to the eſtate of Ballard Beckford, deceaſed, and the other named Cuffee, belonging to James Charles Sholto Douglas, eſquire; and for paying to their owners their reſpective values.

[21ſt December, 1767.]

Preamble.

WHEREAS a horrid conſpiracy was formed in the year one thouſand ſeven hundred and ſixty-five, in the pariſh of St. Mary, by ſundry Coromantee and other ſlaves, to deſtroy the ſettlements and plantations to which they belonged, and to maſſacre their maſters, owners, overſeers, and other white people; in conſequence of which conſpiracy, an inſurrection did actually break out at Whitehall plantation, and there is room to apprehend that a general revolt of the ſlaves and maſſacre might have happened in the iſland, if the conſpirators had ſucceeded in their firſt attempts: And whereas a negro man named York, belonging to the eſtate of Ballard Beckford, eſquire, deceaſed, was particularly active and inſtrumental in ſaving the life of his miſtreſs, at the firſt breaking out of the ſaid inſurrection; and one other negro man, named Cuffee, belonging to James Charles Sholto Douglas, eſquire, did voluntarily make an ample diſcovery of the ſaid conſpiracy, whereby the life of his ſaid maſter, and the lives of ſeveral of the white inhabitants of the ſaid pariſh, were ſaved from maſſacre, and the execution of the wicked purpoſes

of

of the conſpirators was moſt happily prevented: May it therefore pleaſe your moſt excellent majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland, and it is hereby enacted by the authority of the ſame, [*That*] the ſaid negro men ſlaves named York and Cuffee be, immediately from and after the paſſing of this act, manumiſed and ſet free from all manner of ſlavery whatſoever: And that Alexander Brown, eſquire, or the receiver-general for the time being, do annually, on the firſt day of January, pay to each of the ſaid negro men the ſum of five pounds, during their reſpective lives; and that the ſaid Alexander Brown, or the receiver-general for the time being, do alſo pay to the order of the repreſentative of the ſaid Ballard Beckford, deceaſed, the ſum of one hundred and forty pounds, in full ſatisfaction for the ſaid negro named York; and likewiſe to the order of the ſaid James Charles Sholto Douglas, the ſum of eighty pounds, in full ſatisfaction for the ſaid negro man named Cuffee, out of any monies in the hands of the ſaid receiver-general, or of the receiver-general for the time being, unappropriated.

York and Cuffee manumitted.

Annuity of 5*l.* granted each of them.

140*l.* to be paid for York's freedom,

and 80*l.* for Cuffee's.

CAP. X.

An act for laying a duty on all wines, rum, and other ſpirituous liquors, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wine and other liquors; and for laying a tax on ſupercargoes, and on the public officers; and applying the ſame to ſeveral uſes.—[21ſt December, 1767.]

EXPIRED.

CAP. XI.

An act to vacate and make void an agreement made between the honourable Charles Price the elder, eſquire, and the commiſſioners appointed by an act entitled, "An act for veſting in truſtees certain tolls to keep the Ferry, and erect toll-gates or turnpikes on the ſeveral roads leading from St. Jago de la Vega to Paſſage-Fort, in the pariſh of St. Catherine, and to the extreme part of Waterhouſe-Savanna, neareſt to Halfway-Tree, in the pariſh of St. Andrew, for repairing and keeping in repair the ſaid roads; and other purpoſes therein mentioned;" and to repeal ſuch part of ſaid act as relates thereto; and to oblige the pariſhes of St. Catherine and St. Thomas in the Vale, to lay a tax upon the inhabitants of the ſaid pariſhes, for raiſing the ſum of ſeven hundred pounds, to be paid into the treaſury, to make good ſo much money ordered to be paid to the ſaid Charles Price the elder, eſquire.—[21ſt December, 1767.]

OBSOLETE.

CAP. XII.

An act for vesting certain lands and premises, in the parish of Clarendon, in trustees, to be by them leased or sold, for the use of the said parish.—[21st December, 1767.]

Preamble.

WHEREAS by a certain indenture, bearing date the twenty-eighth day of July, in the year of our Lord one thousand seven hundred and fifty-six, made, or mentioned to be made, between Alexander Mackay, rector of the parish of St. David, in the said island, of the one part; the honourable Thomas Fearon, of the parish of Clarendon, Henry Dawkins, of the said parish, esquires, Edward Reading, of the said parish, clerk, George Mackenzie and Arthur Mackenzie, of the same parish, esquires, of the other part; after reciting, That whereas the said Alexander Mackay was then in possession of a certain piece or parcel of land, containing three acres, situate in the Old Woman Savanna, in the parish of Clarendon aforesaid, and which had been conveyed to the said Alexander Mackay by the said George Mackenzie and Arthur Mackenzie, and that the said Alexander Mackay was then, by public subscription, erecting and building on some part of the said land several buildings and apartments, wherein he intended to keep an academy or public school, for the encouragement of learning, and for the better instructing the youth of this island, he the said Alexander Mackay, for the considerations therein mentioned, did grant, bargain, sell, release, and confirm, unto the said Thomas Fearon, Henry Dawkins, Edward Reading, George Mackenzie, and Arthur Mackenzie, and their lawful heirs, all that the aforesaid piece or parcel of land, with the houses, out-houses, and buildings thereon erected and built, or which should at any time thereafter be erected and built, by contribution or subscription, on any part of the said land and premises; and also all the estate, right, title, and interest whatsoever, of him the said Alexander Mackay, of, in, or to, the said land, houses, buildings, tenements, and premises, with the appurtenances; to hold the said piece or parcel of land, and premises aforesaid, with their and every of their appurtenances, and also all and every other the houses and buildings that might at any time thereafter be erected or built, by contribution or subscription, on the said land and premises, or any part thereof, unto them the said Thomas Fearon, Henry Dawkins, Edward Reading, George Mackenzie, and Arthur Mackenzie, and to their heirs lawfully begotten, from the day of the date thereof, for and during, and unto the full end and term of, five hundred years from thence next ensuing, and fully to be complete and ended, upon the several trusts, intents, and purposes, therein mentioned; that is to say, That they the said Thomas Fearon, Henry Dawkins, Edward Reading, George Mackenzie, and Arthur Mackenzie, or their lawful heirs, conjunctly and severally, should permit and suffer the said Alexander Mackay, at

at all times thereafter, to enter upon the ſaid land, houſes, buildings, tenements, and premiſes, and thereon to hold a public ſchool or academy for the education of the youth of this iſland, without any let or hinderance of them, or either of them, or their heirs, to hold poſſeſſion of the ſame during the term of his natural life; provided, that the ſaid Alexander Mackay, during that term, did continue to reſide on the premiſes, and carry on a public ſchool or academy for the education of youth; and that, in caſe of the death of the ſaid Alexander Mackay, or his leaving this iſland, then the ſaid truſtees, or their lawful heirs, ſhould appoint and make choice of ſome other perſon for to officiate as maſter of ſaid ſchool or academy, and for carrying on the ſame in like manner for the purpoſes aforeſaid: And whereas the ſaid Alexander Mackay is ſince dead, and the ſaid place is by experience found to be an improper ſituation for an academy, and the houſes, buildings, and premiſes, being out of repair and in bad order, are become deſerted, and the ſame is going to deſtruction and ruin; and in caſe the ſame is not inhabited, and kept up and in good repair, the ſame may become a hiding-place for rebellious and runaway negroes, which muſt tend to the great hurt and prejudice of the ſaid pariſh, and to the inhabitants of this iſland in general: In order to prevent ſuch inconveniencies, and in order to make the ſame of ſome uſe to the ſaid pariſh, it is neceſſary to veſt the ſame in truſtees, to be by them ſold or otherwiſe diſpoſed of, for the uſe, benefit, and advantage of the ſaid pariſh, as the juſtices and veſtry of the ſaid pariſh ſhall direct; which cannot be done without the aſſiſtance of the legiſlature, by paſſing a law for that purpoſe: We, therefore, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted, and be it enacted by the lieutenant-governor, council, and aſſembly of this iſland, and it is hereby enacted by the authority aforeſaid, That, from and after the paſſing hereof, the ſaid land, houſes, tenements, buildings, and premiſes, herein-before mentioned, with the appurtenances, and every part thereof, ſhall be veſted in Nicholas Bourke, Edward Long, James Rodon, and John Shickle, eſquires, and the ſurvivors or ſurvivor of them, and in the heirs and aſſigns of ſuch ſurvivor, for and during the remainder of the ſaid term of five hundred years; and that free and clear, and freely and clearly acquitted, from all claims, rights, and demands, of the heirs of the ſaid Alexander Mackay, and of all other perſon or perſons claiming by, from, or under him, for and during the remainder of the ſaid term, by any ways or means ſoever: Provided always, That nothing herein contained ſhall make void or anywiſe impeach the right, title, or intereſt, of any other perſon or perſons whatſoever, lawfully claiming any eſtate, right, title, or intereſt, of, in, or to, the ſaid premiſes, or any part thereof.

Above described land and premises vested in trustees.

Saving rig' ts.

II. And be it further enacted by the authority aforeſaid, That the ſaid truſtees hereby named, or any two of them, ſhall, and they are hereby fully empowered

Truſtees empowered to ſell the ſaid

lands for the remainder of the term,

empowered and authorized to, leaſe out, or to grant, bargain, or ſell, the ſaid lands and premiſes herein before mentioned, for and during the remainder of the term aforeſaid, for the ſole uſe and benefit of the ſaid pariſh of Clarendon, as the ſaid juſtices and veſtry of the ſaid pariſh ſhall direct, either in the whole, or in ſuch parts, ſhares, and proportions, as the ſaid truſtees, or any two of them, ſhall think fit.

and to execute deeds.

III. And be it enacted by the authority aforeſaid, That the ſaid truſtees, and they, or any two of them, are hereby fully empowered and authorized to make, do, and execute, any deed or deeds for the purpoſes in this act mentioned, as ſhall or may be neceſſary for the carrying the ſame into full and complete execution, agreeable to the true intention thereof.

Monies received by the trustees, to be laid out in purchasing other land, and erecting buildings for a school-house.

IV. And be it further enacted by the authority aforeſaid, That all ſum and ſums of money that ſhall be received by the ſaid truſtees, or any of them, by virtue of this act, ſhall be by them, or any two of them, applied, laid out, and expended, in the purchaſing other land, and in erecting other buildings, in the ſaid pariſh of Clarendon, for a ſchool-houſe for the education of youth: And, till ſuch purchaſe is made, the ſaid truſtees are hereby obliged and required to pay over the purchaſe-money into the receiver-general's office, there to remain till the juſtices and veſtry of ſaid pariſh ſhall demand the ſame, for the purchaſing lands, and erecting a houſe, as aforeſaid, for the uſe of a ſchool, as the juſtices and veſtrymen of the ſaid pariſh for the time being ſhall direct, for the benefit and advantage of the ſaid pariſh.

CAP. XIII.

REPEALED. *An act for building a bridge over the Rio-Cobre.*—[23d December, 1767.]

CAP. XIV.

REPEALED. *An act for the better diſcovering and collecting the arrears of his majeſty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due.*—[31ſt December, 1767.]

CAP. XV.

OBSOLETE. *An act for the relief of perſons who have neglected to give-in an account of the land which they hold, liable to pay quit-rents to his majeſty, according to the directions of an act of the lieutenant-governor, council, and aſſembly, of this iſland, paſſed the laſt ſeſſion of aſſembly, entitled,* "*An act for the better diſcovering and collecting the arrears of his majeſty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due.*"—[22d September, 1768.]

Anno regni Georgii tertii nono.

CAP. I.

An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's thirty-ſixth and ſixty-ſixth regiments of foot.—[7th December, 1768.] EXPIRED.

CAP. II.

An act for the prevention of indebted perſons from departing this iſland in the time of martial law; and to empower the judges and juſtices to exerciſe their ſeveral offices in certain caſes; and to empower the juſtices and veſtry, and churchwardens, and ſurveyors of highways, to diſcharge their ſeveral duties; and to enable landlords to diſtrain for rent, notwithſtanding martial law.—[7th December, 1768.] EXPIRED.

CAP. III.

An act to give a recompenſe to perſons that ſhall be unjuſtly vexed by writs of replevin.—[7th December, 1768.] EXPIRED.

CAP. IV.

An act to repeal part of an act entitled, "An act for erecting, eſtabliſhing, and regulating, a free-ſchool in the pariſh of Weſtmorland, in this iſland, and enforcing the laſt will and teſtament of Thomas Manning, deceaſed;" and for the better and more effectual carrying the ſaid act into execution; and for the prevention of damages that may arise by fire in the town of Savanna-la-Mar, in the ſaid pariſh of Weſtmorland.—[7th December, 1768.]

Preamble.

WHEREAS the firſt clauſe of an act of the governor, council, and aſſembly, paſſed in the year of our Lord one thouſand ſeven hundred and thirty-eight, entitled, *An act for erecting, eſtabliſhing, and regulating, a free-ſchool in the pariſh of Weſtmorland, in the ſaid iſland, and enforcing the laſt will and teſtament of Thomas Manning, deceaſed*, whereby it is enacted, "That the *cuſtos rotulorum* of the ſaid pariſh of Weſtmorland for the time being, the two ſenior magiſtrates of the ſaid pariſh for the time being, the rector of the pariſh of Weſtmorland for the time being, and five of the freeholders of the ſaid pariſh, ſuch as the freeholders ſhall annually elect, together with the ſaid George Goodin and Hugh Kirkpatrick, and William Dorrill (the ſon and heir of the ſaid William Dorrill, deceaſed,

11 Geo. II. cap. 9.

Recital of *clauſe 1 of the above act.*

deceaſed), the ſurviving truſtees of the ſaid Thomas Manning, be and are hereby appointed truſtees for the direction and management of the ſaid free-ſchool, and of the ſaid gift, deviſe, and bequeſt, by the ſaid Thomas Manning ſo made and given as aforeſaid, and of all ſubſcriptions, donations, deviſes, and bequeſts, that ſhall hereafter be given to or for the uſe of the ſaid free-ſchool; five of which truſtees ſhall be a *quorum* to do buſineſs;" and alſo the ſecond clauſe of the ſaid herein-before recited act, whereby it is enacted as follows: "Provided always, that the cuſtos and two of the ſenior magiſtrates for the time being, and one of them, the ſaid George Goodin, Hugh Kirkpatrick, and William Dorrill the ſon, or any two of them, ſhall be of that number;" are found to be very inſufficient, and not to anſwer the purpoſes of carrying the ſaid act into execution: For the remedying whereof, and that the charity in the ſaid act particularly ſet forth may be rendered more uſeful and beneficial to the public, and that there may be a ſufficient number of truſtees appointed to carry the ſaid herein before-recited act into execution, which hitherto has been in a great meaſure prevented, for want of a *quorum* to meet and proceed to buſineſs, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your iſland of Jamaica, humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That the herein before-recited clauſes of the herein before in part recited act, entitled, *An act for erecting, eſtabliſhing, and regulating, a free-ſchool in the pariſh of Weſtmorland, in the ſaid iſland, and enforcing the laſt will and teſtament of Thomas Manning, deceaſed*, be, and the ſame are hereby, repealed, annulled, and made void, to all intents and purpoſes; any thing in the ſaid herein before-recited act to the contrary thereof in anywiſe notwithſtanding.

and of the *proviſo thereto, which formerly ſtood as clauſe 2.*

Above-recited parts repealed.

II. And be it further enacted by the authority aforeſaid, That the *cuſtos rotulorum* of the ſaid pariſh of Weſtmorland, John Cope and Theodore Stone, eſquires, the preſent members of the aſſembly of [*for*] the ſaid pariſh, or the members of the aſſembly for the ſaid pariſh for the time being, three of the ſenior magiſtrates of the ſaid pariſh for the time being who ſhall be preſent at any meeting of the truſtees in this act mentioned, the rector of the ſaid pariſh for the time being, and any five of the freeholders of the ſaid pariſh, ſuch as the freeholders, on the firſt Monday in Auguſt in each year, elect, be, and they are hereby, appointed truſtees for the direction and management of the ſaid free-ſchool, and of the ſaid gift, deviſe, and bequeſt, by the ſaid Thomas Manning made and given, and in the ſaid herein before-recited act particularly mentioned and ſet forth, and of all ſubſcriptions, deviſes, and bequeſts, that ſhall hereafter be given to or for the uſe of the ſaid free-ſchool; five of which ſaid truſtees ſhall be a *quorum* to do buſineſs: Provided always, That the cuſtos of the ſaid pariſh for the time being, or one of the ſaid members of the aſſembly for the

New truſtees appointed.

Particular truſtees re-

the

the ſaid pariſh for the time being, or any one of the three ſenior magiſtrates of the ſaid pariſh (actually reſiding therein) for the time being, ſhall be of that number.

ceſſary to a *quorum*.

III. And be it further enacted by the authority aforeſaid, That all the lands, meſſuages, negroes, tenements, and hereditaments, and all rents, ſum and ſums of money, charged upon, and iſſuing or payable out of, any meſſuages, lands, negroes, tenements, and hereditaments, and all ſum and ſums of money given and bequeathed to the ſaid free-ſchool of the ſaid pariſh of Weſtmorland, ſhall be and are hereby veſted in the ſaid truſtees, nominated and appointed in and by this act, and their ſucceſſors, to and for the uſes and purpoſes in the ſaid herein before-recited act declared and enacted concerning the ſame; and that the ſaid truſtees, in and by this act nominated and appointed, have the ſame powers and authorities, to all intents and purpoſes, as if they had been named in the ſaid act entitled, *An act for erecting, eſtabliſhing, and regulating, a free-ſchool in the pariſh of Weſtmorland, in the ſaid iſland, and enforcing the laſt will and teſtament of Thomas Manning, deceaſed*; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Properties vested in truſtees;

who are to have the ſame power as in the former act.

IV. And be it further enacted by the authority aforeſaid, That all and every other matter, clauſe, or thing, in the ſaid act entitled, *An act for erecting, eſtabliſhing, and regulating, a free-ſchool in the pariſh of Weſtmorland, in the ſaid iſland, and enforcing the laſt will and teſtament of Thomas Manning, deceaſed*, not hereby expreſsly repealed or altered, ſhall be and continue in full force and virtue; any thing in this act, or any part thereof, to the contrary in anywiſe notwithſtanding.

Ratification of all parts of ſaid act not hereby repealed.

V. And whereas the town of Savanna-la-Mar, in the ſaid pariſh of Weſtmorland, in the county of Cornwall, is of very great importance, and is become a very conſiderable place of trade: And whereas a great part of the houſes and ſtorehouſes in the ſaid town are built of timber and boards, whereby the ſaid town is liable to take fire: And whereas there are ſeveral coopers ſhops in the ſaid town, the owners whereof do not take proper care in the uſing of fire for burning of caſk, from whence inconveniencies may enſue: For remedy whereof, and for preventing any accidents that may ariſe from fire, Be it enacted by the authority aforeſaid, That, from and after the firſt day of January, which will be in the year of our Lord one thouſand ſeven hundred and ſeventy, no cooper, or perſon raiſing or making caſk, ſhall ſuffer any fire to be made in his yard, or any other part of the ſaid town of Savanna-la-Mar (*to wit*, From the places commonly called and known by the name of Whitehall and the Matt-Ponds, down to the ſea) where he or his ſervants or ſlaves ſhall work, but in a ſquare, to be built of brick or ſtone, by every ſuch cooper or perſon ſo raiſing or making caſk, of eight feet high, with one door, and that to the weſtward of

No perſon to make caſks but in an enclosure for that purpoſe,

under penalty of 10*l.* for each offence.

of every ſuch building, under the penalty of ten pounds for every week he ſhall delay or neglect to raiſe ſuch an encloſure, and for every time he ſhall ſuffer any ſuch fire to be made in his yard, or any other part of the ſaid town (as is above deſcribed) where he or his ſervants or ſlaves ſhall work, as aforeſaid, out of ſuch ſquare as aforeſaid, after the ſaid firſt day of January, which will be in the year of our Lord one thouſand ſeven hundred and ſeventy.

Buildings covered with thatch, *&c.* to be pulled down.

VI. And whereas there are great numbers of houſes, out-houſes, negro-huts, and hovels, in the ſaid town, covered with thatch, long graſs, reeds, and cane-traſh, to the ſouthward, eaſtward, and weſtward, of the ſaid places called Whitehall and the Matt-Ponds, in the ſaid town, down to the ſea, which render it very liable to be ſet on fire: Be it enacted by the authority aforeſaid, That, from and after the ſaid firſt day of January, which will be in the year of our Lord one thouſand ſeven hundred and ſeventy, the juſtices of the ſaid pariſh of Weſtmorland, or any two of them, are hereby empowered and required to grant a warrant or warrants, directed to the conſtables or tythingmen of the ſaid pariſh, for razing and pulling down all ſuch houſes, out-houſes, huts, and hovels, ſo built and covered with thatch, long graſs, reeds, and cane-traſh; and the ſaid conſtables or tythingmen, or either of them, are hereby commanded and required immediately to put in execution all ſuch warrants ſo directed to them or him; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Penalty of 10*l.* on ſo covering buildings, in particular ſituations.

VII. And be it further enacted by the authority aforeſaid, That whoſoever ſhall erect, or ſuffer to be erected, after the ſaid firſt day of January, which will be in the year of our Lord one thouſand ſeven hundred and ſeventy, any ſuch houſes, huts, and hovels, covered with thatch, long graſs, reeds, or cane-traſh. to the ſouthward, eaſtward, or weſtward, of the ſaid places called Whitehall or the Matt-Ponds, down to the ſea, in the ſaid town, ſhall forfeit the ſum of ten pounds for every ſuch offence.

Penalty of 20*l.* on juſtices, conſtables, *&c.* neglecting their duty.

VIII. And be it further enacted by the authority aforeſaid, That if any juſtice, conſtable, or tythingman, ſhall neglect or refuſe to do his or their duty herein, every ſuch juſtice, conſtable, or tythingman, ſhall, for every ſuch neglect or refuſal, reſpectively forfeit the ſum of twenty pounds, current money of Jamaica.

Application and recovery of penalties.

IX. And be it further enacted by the authority aforeſaid, That one moiety of all forfeitures and penalties in this act mentioned ſhall be for the ſupport of the poor of the ſaid pariſh, and the other moiety to the informer, or him or them who ſhall ſue for the ſame; to be recovered by action of debt, or information, in the court of common pleas in the ſaid pariſh, wherein no wager of law, eſſoin, protection, injunction, or *noli proſequi* ſhall be allowed; any thing herein contained to the contrary in anywiſe notwithſtanding.

CAP.

CAP. V.

An act for granting an additional salary to his excellency sir William Trelawny, baronet, captain-general, governor, and commander in chief, from the time of his arrival in this island, during his administration.—[7th December, 1768.]

EXPIRED.

CAP. VI.

An act to repeal part of an act entitled, "An act for rendering the several donations, which have been given and bequeathed to the use of the poor of the parish of Vere, in the said island, more useful; and for erecting and endowing a free-school in the said parish;" and for the better and more effectual carrying the said act into execution.

[7th December, 1768.]

Preamble.

WHEREAS the first clause of an act of the governor, council, and assembly of this island, passed in the year of our Lord one thousand seven hundred and forty, entitled, *An act for rendering the several donations, which have been given and bequeathed to the use of the poor of the parish of Vere, in the said island, more useful; and for erecting and endowing a free-school in the said parish*, whereby it is enacted and ordained, That five of the senior magistrates of the said parish (actually residing therein) for the time being, the rector of the said parish for the time being, and five of the freeholders of the said parish, such as the freeholders of the said parish shall annually, on the first day of July, elect, are hereby appointed trustees for the direction and management of a free-school in the said parish, and of the several gifts, devises, donations, and bequests aforementioned, and of all such further and other gifts, devises, and bequests, that shall hereafter be given to and for the use of the said free-school; five of which said trustees shall be a *quorum* to do business; and also part of the second clause of the said herein-before in part recited act, whereby it is enacted as follows: Provided always, three of the senior magistrates, residing in the said parish, shall be of that number; are found to be very insufficient, and not to answer the purposes of carrying the said act into execution: For the remedying whereof, and that the charities in the said act particularly set forth may be rendered more useful and beneficial to the public, and that there may be a sufficient number of trustees appointed to carry the said herein before-recited act fully into execution, which hitherto has in a great measure been prevented, for want of a *quorum* to meet and proceed to business, We, your majesty's most dutiful and loyal subjects, the assembly of this your island of Jamaica, humbly beseech your majesty that it may be enacted; Be it therefore enacted by the governor, council, and assembly, of this your island of Jamaica, and it is hereby enacted and ordained by the authority of the same, That the herein before-recited

13 Geo. II. cap. 10.

Recital of clause 1 of the above act,

and of the proviso thereto, which formerly stood at the beginning of clause 2.

Above recited parts repealed.

clauſes of the herein before in part recited act, entitled, *An act for rendering the ſeveral donations, which have been given and bequeathed to the uſe of the poor of the pariſh of Vere, in the ſaid iſland, more uſeful; and for erecting and endowing a free-ſchool in the ſaid pariſh*, be, and the ſame are hereby, repealed, annulled, and made void, to all intents and purpoſes; any thing in the ſaid herein before-recited act to the contrary thereof in anywiſe notwithſtanding.

New truſtees appointed.

II. And be it further enacted by the authority aforeſaid, That William Puſey and John Edwardes, eſquires, the preſent members of the aſſembly of [*for*] the ſaid pariſh, or the members of the aſſembly for the ſaid pariſh for the time being, three of the ſenior magiſtrates of the ſaid pariſh (actually reſiding therein) for the time being, who ſhall be preſent at any meeting of the truſtees in the ſaid act [*this act*] mentioned, the rector of the ſaid pariſh for the time being, the churchwarden and churchwardens of the ſaid pariſh for the time being, and five of the freeholders of the ſaid pariſh, ſuch as the freeholders of the ſaid pariſh, or the major part of them who ſhall be preſent, ſhall annually, on the firſt Monday in July, elect, are hereby appointed truſtees for the direction and management of the free-ſchool in the ſaid pariſh of Vere, and in the ſaid herein before in part recited act particularly mentioned, and of the ſeveral gifts, deviſes, donations, and bequeſts, in the ſaid herein before-recited act particularly mentioned and ſet forth, and of all ſuch further and other gifts, deviſes, and bequeſts, that ſhall hereafter be given to and for the uſe of the ſaid free-ſchool; five of which ſaid truſtees ſhall be a *quorum* to do buſineſs: Provided always, That one of the ſaid members of the aſſembly for the ſaid pariſh for the time being, or any one of the three ſenior magiſtrates of the ſaid pariſh (actually reſiding therein) for the time being, or one of the churchwardens for the time being, ſhall be of that number.

Altered in 1772 to the firſt Wedneſday in January.

Particular truſtees neceſſary to form a *quorum*.

Notices of meetings to be affixed on the church door;

and meetings held in the church, from whence truſtees may adjourn.

III. And be it further enacted by the authority aforeſaid, That the ſaid truſtees, or any one of them, ſhall, and they and each of them are and is hereby required, from time to time, whenever it is neceſſary to hold a meeting of the ſaid truſtees, [*to,*] cauſe the ſame to be advertiſed on the door of the church of the ſaid pariſh of Vere, fourteen days at leaſt before ſuch meeting; and that the ſaid meeting ſhall be held in the ſaid pariſh-church, from whence the truſtees then preſent, or a majority of them, ſhall and may adjourn themſelves, from time to time, and to ſuch place in the ſaid pariſh, as they ſhall think proper; any thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Properties veſted in truſtees;

IV. And be it further enacted by the authority aforeſaid, That all the lands, meſſuages, negroes, tenements, and hereditaments, and all rents, ſum and ſums of money, charged upon, and iſſuing or payable out of, any meſſuages, lands, negroes, tenements, and hereditaments and all ſum and

ſums

ſums of money, given and bequeathed to the uſe of the poor of the ſaid pariſh of Vere as aforeſaid, ſhall be and are hereby veſted in the ſaid truſtees, nominated and appointed in and by this act, and their ſucceſſors, to and for the uſes and purpoſes in the ſaid herein before-recited act declared and enacted concerning the ſame; and that the ſaid truſtees, in and by this act nominated and appointed, have the ſame powers and authorities, to all intents and purpoſes, as if they had been named in the ſaid act, entitled, *An act for rendering the ſeveral donations, which have been given and bequeathed to the uſe of the poor of the pariſh of Vere, in the ſaid iſland, more uſeful; and for erecting and endowing a free-ſchool in the ſaid pariſh*; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

who are to have the same powers, as given in the former act.

V. And be it further enacted by the authority aforeſaid, That all and every other matter, clauſe, and thing, in the ſaid act, entitled, *An act for rendering the ſeveral donations, which have been given and bequeathed to the uſe of the poor of the pariſh of Vere, in the ſaid iſland, more uſeful; and for erecting and endowing a free-ſchool in the ſaid pariſh*, not hereby expreſsly repealed or altered, ſhall be and continue in full force and virtue; any thing in this act, or any part thereof, to the contrary in anywiſe notwithſtanding.

Ratification of all parts of said act not hereby repealed.

CAP. VII.

An act for laying a duty on all wines, rum, and other ſpirits, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines and other liquors; and for laying a tax on ſupercargoes, and on the public offices; and applying the ſame to ſeveral uſes.—[31ſt December, 1768.]

EXPIRED.

CAP. VIII.

An act for raiſing a tax by the poll, and on trade, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.—[31ſt December, 1768.]

EXPIRED.

CAP. IX.

An act directing in what manner the lands of abſentees, not paying quit-rents, and having no aſſets in this iſland whereon to diſtrain, ſhall be forfeited and re-granted; and for the further ſecuring his majeſty's quit-rents.

[31ſt December, 1768.]

WHEREAS the ſeveral laws enacting the forfeiture of the lands of abſentees, not paying quit-rents for the ſame, have been found to be attended with many inconveniencies, whereby many proprietors, really having aſſets in this iſland, have been deprived of their lands for want of due notice: And whereas the method therein preſcribed to obtain judgment againſt ſuch lands is liable to many inconveniencies; For re-

Preamble.

medy whereof, May it pleaſe your moſt excellent majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and declared by the authority of the ſame, That no information at the relation of the attorney-general, againſt any land of abſentees, for forfeiture of the ſame, as not having paid the quit-rents, and not having aſſets in this iſland, ſhall hereafter be brought or filed, other than [*in*] the manner herein after directed.

Informations not to be brought but in manner herein after directed.

II. And be it further enacted by the authority aforeſaid, That, from and after the paſſing hereof, all perſons informing, or intending to inform, againſt any lands of abſentees, not having paid their quit-rents, and which ſaid abſentees, it may be alledged, have no aſſets whereon to diſtrain for the ſame, ſhall for the future, upon actual payment of all quit-rents then due for ſuch tracts of land, ſo intended to be informed againſt, to his majeſty's receiver-general, in current money of this iſland (and not otherwiſe), and upon entering into bond, with good and ſufficient ſecurity, to our ſovereign lord the king, his heirs and ſucceſſors, to ſettle the ſaid lands, according to the true intent and meaning of an act, entitled, *An act for ſecuring and collecting his majeſty's quit-rents, fines, forfeitures, and amerciaments; and for regulating the manner of eſcheats; and for ſecuring the poſſeſſors of lands already forfeited and ſettled, and further diſcovery of ſuch forfeited lands, and encouraging the ſettling thereof*, ſhall apply to his majeſty's attorney-general of this iſland, and produce to him a receipt from the receiver-general for the whole quit-rents then due for the ſaid land, ſpecifying the quantity of the ſaid land, the money paid, and that the ſame appeared to the receiver-general to be in arrear; and alſo a certificate from the receiver-general, ſetting forth that he, the ſaid receiver-general, hath diligently ſearched the quit-rent books in his office, and that it doth not appear that any quit-rents have been paid for the ſaid lands for twenty years paſt, and that the relator hath actually given the ſecurity for ſettling the ſame in manner herein before directed; which ſaid receipts and certificate the receiver-general for the time being is hereby required to give; and the receiver-general ſhall, for ſuch receipt, ſearch, and certificate, receive the ſum of two ſhillings and ſix pence, and no more.

Persons informing againſt any lands, muſt pay up the quit-rents,

and give bond to ſettle them.

6 *Geo.* II. *cap.* 7.

Receipt to be produced to the attorney-general,

with a certificate;

which receipt and certificate the receiver-general is to grant.

III. And be it further enacted by the authority aforeſaid, That his majeſty's ſaid attorney-general ſhall, upon the producing of ſuch receipts and certificate, iſſue a precept or *fiat* (for which ſaid precept or *fiat* the ſaid attorney-general ſhall and may demand and receive the ſum of two pounds ſeven ſhillings and ſix pence) to the clerk of the ſupreme court of judicature, to prepare and iſſue one or more writ or writs of inquiry, as the caſe may require, returnable at the next ſupreme court of judicature, if the lands ſo related againſt be ſituated in the county of Middleſex, or at the next court of aſſize to be holden for the county wherein the ſaid land ſhall be ſituate reſpectively,

Attorney-general then to iſſue a *fiat*.

His fee thereon.

Clerk of ſupreme court to iſſue writs of inquiry.

reſpectively, if the land ſo related againſt be ſituated within the counties of Surrey or Cornwall, and to be ſigned and counterſigned as other writs are, in form and manner herein after mentioned; which writ or writs the ſaid clerk of the ſupreme court ſhall, on the receipt of ſuch precept, iſſue and make out, and, for every ſuch writ, ſhall and may demand and receive the ſum of ſix ſhillings and three pence; and for ſigning of which writ the chief juſtice, or, in his abſence, the judge ſigning the ſame, ſhall receive the ſum of two ſhillings and ſix pence; which writ ſhall be to the following effect:

ſigned and countersigned like other writs.

His fee,

and that of the judge for ſigning.

JAMAICA, ſſ.
County.
Pariſh.

GEORGE *the third, by the grace of God, of Great-Britain, France, and Ireland, king, and of Jamaica lord, defender of the faith, &c. To the provoſt-marſhal-general of this our iſland of Jamaica, greeting:*

Form of the writ of inquiry.

WHEREAS *A. B. of the pariſh of hath related to our truſty and well-beloved our attorney-general for this our iſland, that his late majeſty by his letters patent, bearing date the day of in the year did grant unto C. D. his heirs and aſſigns, acres of land, ſituate, lying, and being, in the pariſh of butting and bounding And whereas the ſaid A. B. hath likewiſe related to our ſaid attorney-general, that the ſaid acres of land are now veſted in the heirs or other repreſentatives of E. F. and hath alſo related that the ſum of was actually due and owing to us, being for quit-rents for the ſame; which the ſaid A. B. hath actually paid in caſh to our truſty and well-beloved our receiver-general for the ſaid iſland: And whereas the ſaid A. B. hath further related as aforeſaid, that ſuch heirs or other repreſentatives of the ſaid E. F. are abſentees, or perſons not reſiding in this iſland, and have not aſſets ſufficient within this iſland whereon he might or may diſtrain for payment of the ſaid quit-rents: And whereas it is our royal will and pleaſure to be ſatisfied of the truth of the ſaid premiſes, and every part thereof: Now we command thee, that, by thyſelf or thy lawful deputies, thou doſt warn twelve good and lawful men of our ſaid county of to be and appear before our juſtices of the ſupreme court of judicature, or courts of aſſize, oyer and terminer, and gaol delivery, of our ſaid county, on the laſt Tueſday in next, at in the ſaid county, then and there to inquire whether or not the ſaid lands were granted to the ſaid C. D. and alſo whether or not the ſaid lands are now veſted in the heirs or other repreſentatives of the ſaid E. F. and who, if they can find the truth thereof, ſuch heirs or other repreſentatives is or are, in whom ſuch lands are actually veſted; and likewiſe whether or not ſuch heir or other repreſentatives is or are abſent, and not reſiding in this iſland; and further, whether or not ſuch heir or other repreſentatives hath or have not aſſets*

assets in this island, sufficient for us to distrain for the quit-rents now due for the said land, and where such assets are, and of what value: And we also command thee, that thou return this writ, in all things duly executed, with the names of the persons by thee warned, to our said justices at the supreme court of judicature, or court of assize, oyer and terminer and gaol delivery, to be holden at the last Tuesday in next. Witness our trusty and well-beloved G. H. chief justice, &c.

I. K. Cl. Cur. *G. H.*

Writ to be returned.

IV. And be it further enacted by the authority aforesaid, That the provost-marshal shall return such writ to the said supreme court of judicature, or court of assize, endorsed to the following effect:

Endorsement thereon.

THE *execution of this writ appears, by the return of his majesty's writ of* venire facias *to me directed, returnable this present supreme court of judicature, or court of assize.* *P. Q.*

Addition to be made to writs of *venire facias.*

V. And be it further enacted by the authority aforesaid, That in all writs of *venire facias* to be issued returnable at the supreme court of judicature, or courts of assize for the counties of Surrey and Cornwall respectively, the following words shall be inserted:

Form thereof.

AND *also to inquire of and concerning the several matters contained in our writs of inquiry, concerning lands related against for the non-payment of quit-rents;*

Fees on that account.

for which the clerk of the court, and the provost-marshal-general, shall respectively receive a fee of one shilling and three pence each.

Time when writs shall be proclaimed.

VI. And be it further enacted by the authority aforesaid, That, on the second Tuesday in the supreme court of judicature, and on the first Thursday of the said courts of assize, where such writs shall be returnable, the said writs shall be proclaimed in like manner as informations for lands forfeited under the quit-rent acts now are: And that afterwards, during the sitting of the said court, a jury, returned as aforesaid, shall be empannelled, charged and sworn to inquire of the truth of the several points contained in the said writ; and that it shall and may be lawful for the said justices, to receive all such legal evidence as shall be produced to the said jurors, touching the premises and every part thereof; and that the said jurors shall return a verdict, concerning the several points to be inquired into, in writing endorsed on the back of the said writ, or annexed to the same.

Jury to make inquiry during the same court;

and judges to receive the evidence.

Verdict to be endorsed on the writ,

and sent to the clerk of the court's office;

VII. And be it further enacted by the authority aforesaid, That the said justices of the supreme court of judicature, or court of assize, shall transmit the said writ, together with the verdict of the jurors, to the office of the clerk of the supreme court of judicature; who shall thereupon file the said writ

writ and return in his office, and ſhall alſo inſert an abſtract of the ſame, in a table to be kept in ſome public part of his office, in the following manner: where it is to be filed, and made public.

INFORMATIONS FOR FORFEITED LANDS.

Day writ iſſued.	*Relator.*	*Original patentee.*	*Preſent owner.*	*Place and quantity.*	*Final judgment when to paſs.*

Form of abſtract of informations.

VIII. And be it further enacted by the authority aforeſaid, That, upon the filing of the return of ſuch writ and inquiſition, and producing the ſame at his majeſty's then next ſupreme court of judicature as aforeſaid, the attorney-general ſhall cauſe proclamation to be made, by the provoſt-marſhal or his lawful deputy, of ſuch return, on the ſecond Tueſday in ſuch court, and alſo at the courts of aſſize, the ſecond day of ſuch court of aſſize next to be holden after ſuch ſupreme courts, for the counties of Surrey and Cornwall reſpectively, in like manner as proclamations are now by law directed to be made, and are made, on writs of eſcheat in the ſaid ſupreme court and courts of aſſize.

Proclamation of the return to be made at the next grand court,

and at the county courts,

as in cases of eſcheat.

IX. And be it further enacted by the authority aforeſaid, That, after ſuch return ſhall be proclaimed in two ſucceſſive courts of judicature and aſſize as aforeſaid, if no perſon or perſons ſhall traverſe ſuch inquiſition, and put in his, her, or their claim to the ſame, or pray time to enter ſuch traverſe and claim, that then, on the ſecond Tueſday of the ſupreme court of judicature next ſucceeding the laſt proclamation, final judgment ſhall be pronounced for the king; and that, on producing a docket of ſuch judgment (which docket the clerk of the ſupreme court of judicature ſhall make out and deliver), a patent ſhall iſſue, and paſs the ſeal of this iſland, to veſt the ſaid lands in the relator or relators in ſuch writ or writs, his, her, or their heirs and aſſigns, for ever; which patent ſhall be a perpetual bar to all former grantees, or claimants under the perſon in whom the ſame ſhall be found to be veſted, whether by deſcent or purchaſe, but againſt no other perſon or perſons claiming under any other title; any thing in this or any other law to the contrary notwithſtanding.

After proclamation made in two ſucceſſive courts, if no claimant or traverſer appears, judgment to paſs at the next court,

and patent to iſſue;

which bars the former grantee, &c.

but no other claimant.

X. And be it further enacted by the authority aforeſaid, That any traverſer or traverſers of or to ſuch writ, return, or inquiſition, ſhall, in the traverſe that he, ſhe, or they, ſhall ſo put in, deny or traverſe ſuch point or points of the ſaid writ and return, as he, ſhe, or they, ſhall be adviſed is or are material to deny or traverſe; and ſhall alſo tender payment of all ſuch quit-rents as ſhall have been really and *bonâ fide* paid by the ſaid relator, and actually undertake, by him, her, or themſelves, or by ſufficient ſureties, to pay the ſame to ſuch relator, in caſe judgment ſhall paſs for ſuch traverſer

Traverſer may conteſt any points he is adviſed;

but muſt give ſecurity to refund quit-rents to the relator, before his claim ſhall be filed.

traverſer or traverſers, before ſuch traverſe and claim ſhall be received and filed in the ſaid ſupreme court of judicature.

Evidence may be given to diſprove ſufficient aſſets.

XI. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the attorney-general, the relator, or any perſon on his or their behalf, to give evidence, either before the jury on ſuch writ, or before the jury on ſuch traverſe, of any matter or thing tending to diſprove either the exiſtence or ſufficiency of aſſets, or that the ſame are liable to be exhauſted by demands of a higher or equal nature.

This act not to operate retroſpectively.

XII. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to prejudice the title of any grantee of lands already taken up upon account of any judgments upon informations againſt ſuch lands, for forfeitures upon the ſeveral quit-rent acts of this iſland, or any of them, which have been given before the paſſing of this act, or to alter or annul the proceedings upon any informations which are now depending, and have been filed before the paſſing hereof; but the attorney-general, and the relators in ſuch informations, may proceed in the ſame and in like manner as if this act had not been made; any thing in this act to the contrary thereof in anywiſe notwithſtanding.

Lands of abſentees, if no quit-rents paid for twenty years, liable to forfeiture, although quit-rents have been formerly paid.

XIII. And whereas, by the laws now in force inflicting the forfeiture of lands for non-payment of the quit-rents, ſuch lands for which any quit-rents have been at any time paid are not liable to forfeiture, although large tracts of land are now uncultivated for which no quit-rents have been paid for a long time paſt, to the great diminution of his majeſty's revenue, and hinderance of the cultivation of lands in this iſland: Be it therefore enacted, That all perſons who do not inhabit within this iſland, or ſhall not hereafter inhabit within the ſame, and now are, or ſhall hereafter be, poſſeſſed of and hold any land or lands within the ſame, for which the quit-rents have not been paid within the ſpace of twenty years paſt, or ſhall not hereafter be paid within twenty years before ſuch certificate ſhall be given by his majeſty's receiver-general as by this act is directed, or have not or ſhall not have any effects in this iſland whereon his majeſty may diſtrain, ſhall incur the forfeiture of ſuch land or lands, in like manner as lands are now liable to forfeiture, in caſes where no quit-rents have at any time been paid for the ſame.

Relators, &c. not truly obſerving their obligations, the lands to be deemed forfeited.

XIV. And be it further enacted by the authority aforeſaid, That if ſuch relator or relators, and grantee or grantees, patentee or patentees, their heirs or aſſigns, ſhall not truly obſerve, perform, fulfil, and keep, the condition of the obligation above mentioned, according to the true intent and meaning of the ſaid act, ſuch his neglect or non-performance ſhall be deemed a forfeiture of the ſaid land: And it ſhall and may be lawful for the attorney-general for the time being to iſſue a *ſcire facias*, againſt ſuch perſon

person so neglecting and not performing such condition, to repeal such letters patent, and to seize the said lands into the hands of the king's majesty, his heirs and successors; in whom they shall, if judgment on such *scire facias* be given for the crown, become vested. Process thereon.

CAP. X.

An act to oblige the several collecting constables of the respective parishes of this island, in a summary manner, to pay over the parochial taxes into the hands of the respective churchwardens.—[31st December, 1768.] EXPIRED.

CAP. XI.

An act for laying a duty on tonnage, and applying the same to the use of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majesty, his heirs and successors, for the support of the government of this island; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchase gunpowder, under certain regulations.—[31st December, 1768.] EXPIRED.

CAP. XII.

An act for the more effectual preventing negroes and other slaves from deserting from their owners, and departing from this island in a clandestine manner; and to punish such persons as shall be aiding, assisting, or abetting, such slaves in their escape.—[31st December, 1768.] REPEALED.

CAP. XIII.

An act for the further regulation of the provost-marshal's proceedings in the sale of negro and other slaves, taken by virtue of writs of venditioni exponas.

[31st December, 1768.]

WHEREAS several inhabitants of this island have been greatly injured in their property, and many more may suffer in the like manner, by the shortness of the notice which, by law, the provost-marshal and his lawful deputies is and are obliged to give of the sale of negro and other slaves, taken by virtue of writs of *venditioni exponas*; which notice, as the law now stands, is but five days; by which means, negro and other slaves have been sold by virtue of such writs, of which negro and other slaves the party or parties, against whom such writs have been issued, had only the possession, but had no property in the said negro and other slaves, who were either mortgaged, entailed, subject to dower, the property of minors, or under lease; and, from the shortness of the said notice, and the distance of the places where such negro and other slaves are sold, the right owner or owners, his, her, or their representative or representatives, Preamble.

ſentatives, is and are deprived of the opportunity of ſtopping ſuch ſales by writs of replevin: And whereas many negro and other ſlaves, under the aforeſaid circumſtances, have been ſold as aforeſaid, and have been ſent off the iſland by the purchaſer or purchaſers, to the great loſs, damage, and injury, of the right owners, who, as the law now ſtands, can have no redreſs or remedy either againſt the provoſt-marſhal, his deputies, or the purchaſer or purchaſers ſending off ſuch negro or other ſlaves: For remedy whereof, and to prevent the like practices for the future, May it pleaſe your moſt excellent majeſty that it may be enacted, and it is hereby enacted and ordained by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, That, from and after the firſt day of February, which will be in the year of our Lord one thouſand ſeven hundred and ſixty-nine, on affidavit being made by the owner or owners of negro or other ſlaves, ſo taken by the provoſt-marſhal, or his lawful deputy or deputies, by virtue of writs of *venditioni exponas*, or by the attornies, executors, adminiſtrators, or guardians, of ſuch owner or owners, or by any mortgagee or mortgagees, or by his, her, or their repreſentative or repreſentatives, before any one of the judges of the ſupreme court of judicature of this iſland, or before any one of the commiſſioners appointed by law to take affidavits out of court, in matters relating to the ſaid ſupreme court (who are, and each of them is, hereby empowered and required to take the ſame), that ſuch negro or other ſlaves, ſo taken as aforeſaid, are not the property of the party or parties againſt whom ſuch writ or writs of *venditioni exponas* have been iſſued, nor liable to his or their debt, but are the property of the deponent, or of the perſon or perſons whom he, ſhe, or they repreſent, either in right of mortgage, entail, dower, right of minors, or are under leaſe, as the caſe may happen, that then the provoſt-marſhal or his deputies, being duly ſerved with ſuch affidavit, ſhall, and he and they are hereby enjoined, directed, ordered, and obliged to, ſuſpend and ſtay the ſale of ſuch negro or other ſlaves in ſuch affidavit named, ſpecified, and mentioned, for the ſpace of twenty days, that the owner or owners of ſuch negro or other ſlaves, mortgagee or mortgagees, his, her, or their attornies, executors, adminiſtrators, or guardians, may have ſufficient time to prevent ſuch ſale, by iſſuing a writ or writs of replevin againſt the provoſt-marſhal, or his deputies, for the recovery of ſuch negro or other ſlaves; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding: Provided always, That ſuch affidavit or affidavits of the property of ſuch negro or other ſlaves, being made by the owner or owners of ſuch negro or other ſlaves, ſhall be poſitive; but ſuch affidavit being made by the attorney or attornies, executor, adminiſtrator, or guardian, of ſuch owner or owners, mortgagee or mortgagees, ſhall be to the beſt of his or their knowledge and belief.

Affidavits being made, that ſlaves are not the property of the perſons on whoſe account they are taken,

provoſt-marſhal to defer the ſale for twenty days,

that replevin may be brought.

Affidavit made by owners to be poſitive;

by repreſentatives, to belief.

II. Provided alſo, and it is the true intent and meaning of this act, That if the party or parties making ſuch affidavit as aforeſaid ſhall not, within

within the ſpace of the ſaid twenty days, iſſue out his, her, or their writ of replevin, againſt the ſaid provoſt-marſhal or his deputies, for the recovery of ſuch negro and other ſlaves, that then it ſhall and may be lawful for the ſaid provoſt-marſhal, or his deputies, to proceed to the ſale of ſuch negro or other ſlaves, as if ſuch affidavit had not been made; any law, cuſtom, or uſage, to the contrary notwithſtanding. Replevins not iſſued within twenty days, ſale to be proceeded in.

CAP. XIV.

An act to inflict further puniſhment on perſons receiving ſtolen goods, knowing them to be ſtolen.—[31ſt December, 1768.] EXPIRED.

CAP. XV.

An act for appointing commiſſioners for ordering and inſpecting the works in and about the forts, fortifications, and barracks of this iſland.—[31ſt December, 1768.] REPEALED.

CAP. XVI.

An act for authorizing, requiring, and compelling, the juſtices and veſtry of the pariſhes of St. James, St. Mary, and St. George, in this iſland, forthwith to iſſue a roll of deficiency tax, and a roll of poll-tax.—[31ſt December, 1768.] EXPIRED.

CAP. XVII.

An act for making ſix ſeveral new plat-books, for the pariſhes of St. Thomas in the East, St. David, St. Dorothy, Vere, St. James, and St. Ann, which have been lately transcribed by the clerk of the patents, legal evidence in all courts; and for the better preſerving the public records, in the offices of register of the court of chancery and clerk of the patents in this island.

[31ſt December, 1768.]

WHEREAS the clerk of the patents has, in purſuance of a reſolution of the aſſembly, of the nineteenth day of December, one thouſand ſeven hundred and ſixty-ſeven, tranſcribed ſix ſeveral plat-books into ſix new books, by him provided for that purpoſe; *viz.* A new plat-book for the pariſh of St. Thomas in the Eaſt, another for the pariſh of St. David, another for the pariſh of St. James, another for the pariſh of St. Dorothy, another for the pariſh of Vere, and another for the pariſh of St. Ann; and hath alſo examined the ſame with the reſpective original plat-books remaining in his office, and hath ſigned and atteſted each ſheet contained in the ſaid ſeveral books: May it pleaſe your moſt excellent majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That the ſaid ſix Preamble.

Transcripts of the six books to be legal records,

when the clerk of the patents has attested their being true copies.

ſeveral tranſcripts of the ſaid plat-books, above particularly mentioned, ſhall be deemed, and are hereby declared to be, valid, legal, and effectual records, to all intents and purpoſes whatſoever, as the original records themſelves were before the making this act: Provided nevertheleſs, The ſaid clerk of the patents ſhall make affidavit, before the chief juſtice for the time being, or before any judge of the ſupreme court of judicature (who are hereby empowered and required to take the ſame), that the ſaid tranſcripts of the ſaid ſix ſeveral new plat-books have been carefully examined by him, and are true and exact copies of their ſeveral records, before the ſaid tranſcripts, or copies, ſhall be as valid, legal, and effectual records as aforeſaid; which affidavit the ſaid clerk of the patents is required to make, and enter in each particular book of tranſcripts, or copies, within three months from and immediately after the paſſing of this act into a law, under the penalty of five hundred pounds, current money of Jamaica.

Regiſter in chancery and clerk of patents to keep records, &c. in good order, under penalty of 500*l.*

II. And whereas the public has been at great expence, from time to time, to preſerve the public records and proceedings in the ſeveral offices of the regiſter of the court of chancery and clerk of the patents in this iſland; and as it is reaſonable that the regiſter of the ſaid court and clerk of the patents, who receives great profit by the ſaid ſeveral offices, ſhould keep the ſame in good order and repair: Be it enacted by the authority aforeſaid, That the preſent regiſter of the ſaid court of chancery and clerk of the patents ſhall be obliged, under the penalty of five hundred pounds, to keep the ſaid records and other proceedings, and alphabets, in his ſaid office of regiſter of the court of chancery and clerk of the patents, in good order and repair, at his own proper coſt and charges; and have alſo fairly tranſcribed copies of ſuch records and proceedings as ſhall be impaired by frequent uſe, or decayed by time: Provided, That ſuch regiſter in chancery and clerk of the patents be only obliged to tranſcribe, and keep in good order and repair, ſuch records and proceedings as have been had, made, or entered, in his office and offices, during the time he acted or officiated as ſuch, and no longer: And that every regiſter of the court of chancery and clerk of the patents ſhall be obliged, under the penalty of two thouſand pounds, before his or their entrance upon the ſeveral offices aforeſaid, to enter into and give bond, with good and ſufficient ſecurity, to our ſovereign lord the king, his heirs and ſucceſſors, that he or they will, from time to time, at his own coſt and charge, keep in good order the records and other proceedings, and alphabets, in the ſaid ſeveral offices, which ſhall be had or made during the time he ſhall act or officiate in ſuch offices as aforeſaid, and have copies fairly tranſcribed of ſuch records and other proceedings, that ſhall or may be had during the time he or they ſhall officiate in the offices aforeſaid, as ſhall anywiſe require ſuch tranſcribing.

He is obliged to transcribe only such as have been entered in his time,

His successors to give 2000*l.* bond, before they enter on office, to preserve the records they receive, and alphabets.

He is to examine all tran-

III. And be it enacted by the authority aforeſaid, That all the records, ſo tranſcribed, ſhall be carefully examined by the regiſter in chancery and clerk

clerk of the patents for the time being; and he is hereby obliged, under the penalty of five hundred pounds, to repair to the chief juſtice, or to any of the judges of the ſupreme court of judicature, for the time being, and make oath, that he has had the ſame faithfully tranſcribed, and that he has carefully examined it himſelf (which oath the chief juſtice, or the ſaid judge, is hereby empowered and required to adminiſter): And every record ſo tranſcribed, examined, and ſworn to, ſhall be deemed authentic, valid, and effectual.

ſcripts, and attest them, under penalty.

IV. And be it further enacted by the authority aforeſaid, That the preſent regiſter in chancery and clerk of the patents cauſe a liſt or inventory of all books of record and alphabets in his office aforeſaid to be made, in nine months after the paſſing of this act; the charges whereof ſhall be paid to him by the receiver-general, out of any monies in his hands unappropriated: And that, for the future, the preſent and all regiſters in chancery and clerk of the patents, or perſons acting as ſuch, upon delivering poſſeſſion, or leaving the ſaid offices, be obliged to deliver ſuch inventories to all new regiſters and clerk of the patents; which ſaid inventories ſhall be ſigned by the ſaid new regiſters and clerk of the patents, and the perſons delivering poſſeſſion of the ſaid offices, as aforeſaid; and that the ſaid inventories ſhall be entered in a fair-written book, to be kept for that purpoſe in the ſaid regiſter's office, and a copy of the ſame ſent, and ſigned as aforeſaid, to the ſecretary's office of this iſland; which ſaid inventories, or copies, ſhall be good evidence againſt the ſaid regiſter in chancery and clerk of the patents, or any of them, in caſe of any embezzlement of the ſaid books of record: And the preſent regiſter and clerk of the patents, and all other regiſters and clerk of the patents for the time being, who ſhall neglect or refuſe to take or ſign ſuch inventories, or cauſe ſuch copies to be made and ſigned, as aforeſaid, ſhall, for every ſuch neglect or refuſal, forfeit the ſum of five hundred pounds current money of Jamaica.

Inventory to be made of record-books and alphabets, at the public charge,

and delivered to ſucceſſors in the offices,

Copy to be ſent to the ſecretary's office.

Penalty of 500*l.* on neglect.

V. And be it further enacted by the authority aforeſaid, That the records and proceedings of the ſaid court of chancery and of the clerk of the patents ſhall be recorded fairly, at length, within ninety days after the ſame ſhall be brought into the ſaid office, or delivered into the hands of the regiſter of the ſaid court of chancery and clerk of the patents, or his deputy as aforeſaid, under the penalty of fifty pounds for every neglect or default, contrary to the true intent and meaning hereof; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding.

Proceedings to be recorded within ninety days,

under penalty of 50*l.*

VI. And be it further enacted by the authority aforeſaid, That all penalties in this act mentioned ſhall be recovered in the ſupreme court of judicature of this iſland, by action of debt, bill, plaint, or information, wherein no eſſoin, protection, wager of law, or injunction, ſhall be granted or allowed, or *non ſuit ulterius proſequi* be entered; one moiety thereof ſhall be

Penalties how to be recovered and applied.

to

to the uſe of his majeſty, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof, and the other moiety to the informer, or him or them who ſhall ſue for the ſame; any law, cuſtom, or uſage, to the contrary notwithſtanding.

CAP. XVIII.

EXPIRED. *An act to reſtrain the inhabitants of the pariſh of Weſtmorland, in the county of Cornwall, in this iſland, from working any carriages of burthen, but with broad wheels, on the roads in the ſaid pariſh.*—[31ſt December, 1768.]

CAP. XIX.

EXPIRED. *An act for the further regulating of the ſervice and execution of proceſs, and the returns thereof, and other purpoſes relating to the ſervice of jurors, and rendering the ſame a more equal duty.*—[31ſt December, 1768.]

CAP. XX.

EXPIRED. *An act for the ſale of flour by weight.*—[31ſt December, 1768.]

CAP. XXI.

EXPIRED. *An act for the ſale of butter, ſoap, candles, tallow, rice, and biſcuit, by weight, and not by invoice.*—[31ſt December, 1768.]

Anno regni Georgii tertii decimo.

CAP. I.

An act for ſetting mutual debts one againſt the other.

[24th December, 1769.]

Preamble. WHEREAS the ſetting mutual debts one againſt the other is highly juſt and reaſonable: Be it enacted by the governor, council, and aſſembly, of this his majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority aforeſaid, That, from and after the paſſing of this act, where there are mutual debts between the plaintiff and defendant, or, if either party ſue or be ſued as executor or adminiſtrator, where there are mutual debts between the teſtator or inteſtate and either party, one debt may be ſet againſt the other, and ſuch matter be given in evidence upon the general iſſue, or pleaded in bar, as the nature of the caſe ſhall require, provided the manner herein after-preſcribed and ſet forth be obſerved; ſo as, at the time of his pleading the general iſſue, where any ſuch debt of the plaintiff, his teſtator or inteſtate, is intended to be inſiſted on in evidence, notice ſhall be given of the particular ſum or debt ſo intended to be inſiſted on, and upon what account

Debts to be ſet one againſt another,

if notice given of the ſum intended to be inſiſted on.

it

it became due; or otherwiſe ſuch matter ſhall not be allowed in evidence upon ſuch general iſſue.

Debts on ſpecialties to be pleaded in bar.

II. And be it further enacted by the authority aforeſaid, That in all caſes where either the debt for which the action hath been or ſhall be brought, or the debt intended to be ſet againſt the ſame, hath accrued or ſhall accrue by reaſon of any penalty contained in any bond or ſpecialty, the debt intended to be ſet off ſhall be pleaded in bar, in which plea ſhall be ſhewn how much is truly and juſtly due on either ſide; and in caſe the plaintiff ſhall recover in any ſuch action or ſuit, judgment ſhall be entered for no more than ſhall appear to be truly and juſtly due to the ſaid plaintiff, after one debt being ſet againſt the other, as aforeſaid.

Judgment to be entered for no more than appears due on the balance.

CAP. II.

EXPIRED.

An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.—[23d December, 1769.]

CAP. III.

EXPIRED.

An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes.—[23d December, 1769.]

CAP. IV.

EXPIRED.

An act to repeal two ſeveral acts of this iſland, one entitled, "An act for appointing commiſſioners for ordering and inſpecting the works in and about the forts, fortifications, and barracks of this iſland;" the other entitled, "An act to add commiſſioners to thoſe already appointed for carrying [on] *the works in and about the forts, fortifications, and barracks of this iſland, and to thoſe already appointed for building, finiſhing, and repairing, the public edifice in St. Jago de la Vega;" and for appointing commiſſioners for forts, fortifications, and public buildings.*—[23d December, 1769.]

CAP. V.

An act to explain and amend part of an act entitled, "An act to encourage colonel Cudjoe and captain Quao, and the several negroes under their command in Trelawny and Crawford Towns, and all other towns of rebellious negroes who submitted to terms, to pursue and take up runaway slaves, and such negroes as continue in rebellion; and for remedying some inconveniencies in the laws already made for that purpose."—[23d December, 1769.]

Preamble. 14 Geo. II. cap. 7,

WHEREAS the encouragement [*given*] by an act entitled, *An act to encourage colonel Cudjoe and captain Quao, and the several negroes under their command in Trelawny and Crawford Towns, and all other towns of rebellious negroes who submitted to terms, to pursue and take up runaway slaves, and such negroes as continue in rebellion; and for remedying some inconveniencies in the laws already made for that purpose*, has been greatly abused, and the good intent thereof almost wholly defeated: For remedying whereof, We, your majesty's most dutiful and loyal subjects, the assembly of this your majesty's island of Jamaica, most humbly beseech your majesty that it may be enacted; Be it therefore enacted by the governor, council, and assembly, and it is hereby enacted by the authority of the same, That, from and after the first day of March, which shall be in the year of our Lord one thousand seven hundred and seventy, all runaway slaves, who shall be taken by any wild negro or negroes, shall be by him or them conveyed, within five days, to the next magistrate in the parish where such runaway slave or slaves shall be taken; which said magistrate is hereby authorized to determine how much mile-money the wild negro or negroes taking up such runaways shall be intitled to, and grant a certificate thereof, as is herein after directed; and, instead of the reward of three pounds, directed to be paid by the above-recited act, for every runaway slave or slaves delivered to said magistrate by any wild negro or negroes, such wild negro or negroes shall be only intitled to two pounds, or such part thereof as to the same magistrate shall seem meet, with mile-money, at the rate of seven pence halfpenny *per* mile, from the place where the said runaways appear to the said magistrate to have been taken, to the place where the said magistrate may be when such runaway slave or slaves shall be produced to him; which said reward and mile-money shall be certified, under the hand of the magistrate, to the owner or owners of such runaway slave or slaves, if the said magistrate shall know him, her, or them: And the said owner or owners, upon such certificate being produced, is hereby obliged to pay to such wild negro or negroes the money therein specified, with mile-money, at the rate of seven

Maroons to take runaways to a magistrate within five days,

and be paid 40*s.* for each (or less, at the will of the magistrate) and mile-money.

Certificate to be given of both sums.

Owner to pay specified sums, and mile-money to his house,

pence

pence halfpenny *per* mile, from the place where ſuch certificate may happen to be dated, to the place of reſidence of the ſaid owner or owners, or ſettlement to which ſaid runaway ſlave or ſlaves may belong; and every owner or owners, who ſhall neglect or refuſe to pay the ſame, ſhall incur the penalty of double the ſum ſuch wild negro or negroes ſhall be ſo intitled to, for every ſuch neglect or refuſal: And, the better to prevent any diſpute, which may ariſe between ſuch owner or owners and ſuch wild negro or negroes, about the payment of ſaid reward and mile-money, herein before directed to be paid to ſaid wild negro or negroes, ſuch owner or owners, or other perſon or perſons liable to pay the ſame, are hereby directed, obliged, and required, to make payment thereof in the preſence of ſome white perſon, who is to certify the ſame on the back of the ſaid certificate: And in caſe ſuch payment ſhall not be made in the preſence of ſome white perſon, as aforeſaid, and complaint made thereof by ſuch wild negro or negroes to the ſaid magiſtrate, or any other of the pariſh or precinct where ſuch runaway ſlave or ſlaves were taken up, ſuch magiſtrate ſhall ſummon ſuch owner or owners, or ſuch other perſons, to appear before him, at the time and place appointed by ſuch ſummons; and if it ſhall appear to the ſaid magiſtrate that the ſaid reward and mile-money have not been fully paid to ſuch wild negro or negroes, or that the party ſummoned (and oath made thereof by the perſon ſerving the warrant) do not appear, the ſaid magiſtrate is hereby authorized and required, under the penalty of ten pounds, to iſſue his warrant, and direct the ſame to any conſtable or marſhal, to diſtrain on the goods of the ſaid owner or owners, and the ſame, or ſo much thereof as will ſatisfy and pay the ſum due to the ſaid wild negro or negroes, to ſell at public outcry, firſt giving five days notice of ſuch ſale, at the moſt public place in the pariſh where ſuch goods are diſtrained; and, for the conſtable's trouble in diſtraining or ſelling ſuch goods, he ſhall retain two ſhillings and ſix pence in the pound, out of the money ariſing from ſuch ſale, beſides all reaſonable charges in executing ſaid warrant, returning the overplus (if any be) to the ſaid owner or owners: And in caſe the magiſtrate ſhall not know, or be informed, who the owner or owners of ſuch runaway ſlave or ſlaves ſhall be, or the owner (if known) ſhall reſide at an inconvenient diſtance, ſuch magiſtrate ſhall certify to the next marſhal the ſum due to the ſaid wild negro or negroes, in manner and form as is above-directed to be done to the owner or owners of ſuch runaway ſlave or ſlaves; and the ſaid marſhal is hereby directed and obliged to pay to ſuch wild negro or negroes the ſum or ſums mentioned in the ſaid certificate, with mile-money, at the rate of ſeven pence halfpenny *per* mile, from the place the ſaid certificate may happen to be dated, to the place of the marſhal's reſidence; and if the ſaid marſhal ſhall neglect or refuſe to pay ſuch wild negro or negroes the ſum he or they may be intitled to under this act, the ſaid marſhal ſhall be liable to pay, and be proceeded againſt, in the ſame manner as is herein before directed in caſe of any owner or owners neglecting or refuſing to pay, as is directed by this act.

or forfeit double the amount.

Money to be paid before a white perſon, who is to certify it.

On complaint being made,

owner to be ſummoned,

and diſtraint made.

Conſtable to have poundage.

If runaways cannot be ſent to their owners,

the next marſhal is to pay the maroons,

under the ſame penalty as owners, for refuſal.

Judgment of the justices to be final.

II. And be it further enacted by the authority aforesaid, That the sentence or judgment passed by the said justice or justices, in manner aforesaid, shall be conclusive without appeal; any thing in this or any other law to the contrary thereof in anywise notwithstanding.

Recovery and application of penalties.

III. And be it further enacted by the authority aforesaid, That all penalties in this act mentioned, and not directed how to be recovered, shall be recovered, in a summary way, before any magistrate; one moiety thereof to the use of his majesty, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof, and the other moiety to him, her, or them, who shall sue for the same.

Other parts of recited act to remain in force.

IV. And be it further enacted, That the said above-recited act, and all matters and things therein contained, and not hereby altered, shall continue and be in full force to all intents and purposes whatsoever.

CAP. VI.

EXPIRED. *An act for regulating the fees of the masters of the high court of chancery of this island.*—[23d December, 1769.]

CAP. VII.

EXPIRED. *An act for establishing the fees of the clerk of the supreme court of judicature of this island, and establishing the fees of the chief justice and attornies on all judicial writs.*—[23d December, 1769.]

CAP. VIII.

EXPIRED. *An act to encourage persons to keep vessels for transporting goods about this island, and to prevent abuses being committed by the masters or commanders of such vessels; and to regulate wharfingers and others shipping such goods*—[23d December, 1769.]

CAP. IX.

EXPIRED. *An act for laying a duty on tonnage, and applying the same to the use of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majesty, his heirs and successors, for the support of the government of this island; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchase gunpowder, under certain regulations.*—[23d December, 1769.]

CAP. X.

EXPIRED. *An act for keeping in repair the harbour of Kingston, and for regulating the mooring of ships in the said harbour; and for restraining all masters or commanders of vessels, for the future, from heaving overboard ballast in any of the harbours or shipping-places in this island.*—[23d December, 1769.]

CAP.

CAP. XI.

An act to empower the justices and vestry in the town of Kingston to build a market-house, and to appoint a place for the sale of fresh fish; and for preventing nuisances in the streets of the said town; and for other purposes therein mentioned.—[23d December, 1769.]

WHEREAS there is no fixed place or places in the town of Kingston for the sale of fresh fish: And whereas it is become highly necessary that a proper house or market-place be erected, for the convenience of the sellers as well as buyers of fresh fish, in the said town, and for the better exposing such fresh fish for sale: May it please your most excellent majesty that it may be enacted by the governor, council, and assembly, of this your majesty's island of Jamaica, and it is hereby enacted by the authority of the same, That the justices and vestry of the town of Kingston for the time being be, and they are hereby, authorized and empowered to appoint a proper place or places in the said town, for selling all kinds of fresh fish; and that such place or places, so appointed as aforesaid, shall be deemed the public market place or places for the selling of fresh fish. Preamble.

Justices and vestry authorized to appoint a place or places for the sale of fresh fish;

II. And be it further enacted by the authority aforesaid, That the justices and vestry of the town of Kingston aforesaid for the time being be, and they are hereby, authorized and empowered to build, erect, and complete, a good and sufficient market-house or houses in the said town of Kingston, upon such place or places so appointed as aforesaid, or any part thereof, for the selling of all kinds of fresh fish in the said town: And the said justices and vestry for the time being are hereby authorized and empowered, to lay out and allot a sufficient piece of ground in the said town, or to purchase any lot or lots of land in the said town, whereon to fix and establish such market or markets; and to build and erect such building or buildings as aforesaid, and to contract and agree with the workmen, and to purchase all materials for the same; the charge and expence of which shall be levied and raised, by an equal tax on the inhabitants of the said town, by the said justices and vestry: Provided nevertheless, The sum or sums of money, so levied and raised for the purposes aforesaid, shall not exceed in the whole the sum of five hundred pounds.

to erect sufficient buildings thereon;

to allot or purchase ground for the purpose;

and to defray the expence by a tax, not exceeding 500*l.*

III. And be it further enacted by the authority aforesaid, That the said justices and vestry for the time being shall, and they are hereby authorized and empowered to, nominate and appoint a proper person or persons to look after, and take care of, the said market-house so erected and built, with such reasonable salary as they the said justices and vestry shall think proper,

A person to be appointed to look after the market-house,

with a salary,

payable by the churchwardens.

proper, (which ſalary the churchwardens of the ſaid pariſh are hereby authorized and empowered to pay); and ſuch perſon or perſons, for miſdemeanor or neglect, to diſplace and remove; and, in caſe of his death, reſignation, deprivation, or removal, other or others in his ſtead to appoint and put.

Market to be open from eight o'clock till two.

IV. And be it further enacted by the authority aforeſaid, That the opening of the ſaid market ſhall be from eight of the clock in the morning, and not ſooner, and which ſhall be kept open until two of the clock in the afternoon; in which place or places, houſe or houſes, and between the ſaid hours, the market ſhall be adjudged to be open and public.

No perſon to ſell freſh fiſh, between thoſe hours, in any other place,

under penalty of 20s.

Recovery and application thereof.

V. And be it further enacted by the authority aforeſaid, That if any white perſon or perſons, free negro, free mulatto, or Indian, ſhall be found ſelling or vending, or offering to ſell or vend, any freſh fiſh whatſoever, within the hours or time above limited, in any other place in the ſaid town than ſuch as ſhall be appointed as aforeſaid, every ſuch white perſon, free negro, free mulatto, or Indian, ſhall forfeit for every ſuch offence the ſum of twenty ſhillings; to be recovered, in a ſummary way, before any one of the juſtices of the peace of the ſaid pariſh; one moiety whereof ſhall be to the uſe of the poor of the ſaid pariſh, and the other moiety to the informer, or the perſon who ſhall make ſuch complaint.

If ſlaves offer fiſh for ſale between thoſe hours, magiſtrates to award puniſhment,

and the fiſh be forfeited to the poor.

VI. And be it further enacted by the authority aforeſaid, That if any negro, mulatto, or Indian, not being free, ſhall be found ſelling or vending, or offering to ſell or vend, any freſh fiſh whatſoever, within the hours and time above ſpecified, in any other place than ſuch as ſhall be appointed as aforeſaid, ſuch negro, mulatto, or Indian, ſhall be puniſhed for ſuch offence, at the diſcretion of any of his majeſty's juſtices of the peace of the ſaid town and pariſh of Kingſton; and the freſh fiſh ſo offered for ſale ſhall be deemed forfeited, and the ſame diſtributed among the poor of the ſaid pariſh; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding.

The churchwardens made a body corporate, for the purpoſe of collecting parochial and tranſient taxes;

VII. And whereas there is not ſufficient authority veſted in the juſtices and veſtry, or the churchwardens, of the ſaid pariſh of Kingſton, to ſue for the tranſient and parochial taxes of the ſaid pariſh; by means whereof many perſons evade the payment of the ſame: Be it therefore enacted by the authority aforeſaid, That the churchwardens of the pariſh of Kingſton, for the time being, and their ſucceſſors, ſhall and may be a body politic and corporate, and ſhall be incorporated, eſtabliſhed, and founded, in name and in deed, a body politic and corporate, to have continuance for ever, by the name of THE CHURCHWARDENS OF KINGSTON, and by that name to have perpetual ſucceſſion for ever; and the ſaid churchwardens, and their ſucceſſors for the time being, ſhall and may have lawful power and authority, in

in all matters whatſoever relative to the ſaid parochial and tranſient taxes, to ſue and be ſued, implead and be impleaded, to anſwer and be anſwered unto, in the ſupreme court of judicature of this iſland, and in all manner of courts and places that now are, and hereafter ſhall be, within this iſland of Jamaica, in all manner of ſuits whatſoever, and of what nature and kind ſoever ſuch ſuits and actions be or ſhall be, in the ſame ample manner and form, to all intents, conſtructions, and purpoſes, as any other perſon or perſons, bodies politic and corporate in the realm of England, being able perſons in law, may do.

for which they are to account to the juſtices and veſtry.

VIII. And be it further enacted by the authority aforeſaid, That the ſaid churchwardens of the ſaid pariſh for the time being, or their ſucceſſors, ſhall, from time to time, be reſponſible and amenable to the juſtices and veſtry of the ſaid pariſh for the time being, for all ſum and all ſums of money that they ſhall or may receive by virtue or in conſequence of ſuch ſuit or ſuits, action or actions, in like manner as the churchwardens in the ſeveral pariſhes of this iſland are amenable and reſponſible, for any other matter or thing whatſoever.

Juſtices and veſtry empowered to hire ſcavengers,

and to lay a tax for paying them.

IX. And whereas the juſtices and veſtry of the ſaid pariſh of Kingſton have not at preſent any power to hire a ſcavenger or ſcavengers, to amend and keep in repair the ſtreets and roads in the ſaid town and pariſh: Be it therefore enacted by the authority aforeſaid, That, for the future, it ſhall and may be lawful to and for the juſtices and veſtry of the pariſh of Kingſton, if they ſhall think proper, and they are hereby empowered, from time to time, and at any time after the paſſing this act, to hire one or more ſcavenger or ſcavengers, for any certain time or times as may be thought neceſſary and convenient, to amend and keep in repair the ſtreets and roads in the ſaid town and pariſh of Kingſton: And they are hereby authorized and empowered to lay a tax upon houſes, rented and not rented, that are inhabited, and upon trade and negroes within the ſaid town and pariſh, for paying ſuch ſcavenger or ſcavengers ſuch ſalary or ſalaries, ſum or ſums of money, for which he or they ſhall or may be ſo hired; which ſaid tax ſhall be collected, levied, and paid, in the ſame manner, and with the like power of diſtreſs for non-payment, as the tax commonly called the pariſh-tax is collected, levied, paid, and diſtrained for.

Recited act is expired.

X. And whereas, in and by a certain act of the governor, council, and aſſembly, paſſed in the firſt year of his preſent majeſty's reign, entitled, *An act for keeping in repair the harbour of Kingston, and for regulating the mooring of ſhips in the ſaid harbour; and for enabling the juſtices and veſtries of the pariſhes of Port-Royal and Kingston, to erect and build a market or markets in each of the ſaid towns*, it is therein enacted, That the ſaid market houſe or houſes, ſo as aforeſaid to be erected and built, and all other market-houſes and market-places in the ſaid towns of Port-Royal and Kingſton;

ſton, already erected or hereafter to be erected and built, ſhall be veſted in the ſaid juſtices and veſtry of the ſaid towns of Port-Royal and Kingſton, for the time being, reſpectively; and they ſhall have full power and authority to alter, repair, and amend the ſame, and to let and ſet out the ſtalls and ſtanding-places in the ſaid markets, for ſuch prices as they can get for the ſame; and alſo ſhall have power to levy and diſtrain for the rent, and arrears of rent, that ſhall or may be due for the ſaid ſtalls, if occaſion may be; and the rents ſhall be applied by the ſaid juſtices and veſtry towards the ſupport and maintenance of the ſaid market-houſe, and, if not ſufficient for that purpoſe, then it ſhall and may be lawful for the ſaid juſtices and veſtry to raiſe, and levy, [*by*] a tax on the inhabitants of the ſaid towns, in the ſame manner as other the parochial taxes are levied, ſo much money as ſhall be ſufficient to repair and amend the ſame: And whereas the herein in part recited act hath long ſince expired, and the ſaid juſtices and veſtry of the town and pariſh of Kingſton aforeſaid have thereby loſt the powers and authorities, ſo to them derived by the ſaid in part recited act, to let and ſet out the ſtalls and ſtandings in the ſaid market-place, ſo by them erected and built: Be it therefore further enacted by the authority aforeſaid, That, for the future, it ſhall and may be lawful to and for the juſtices and veſtry for the time being to hire out, from time to time, the ſtalls belonging to the beef-market in the ſaid town, for the uſe of the ſaid pariſh, for ſuch time or term, and for ſuch yearly rent or rents, as the ſaid juſtices and veſtry ſhall from time to time agree for: All and every of which ſaid rents ſhall be paid to the churchwardens of the ſaid pariſh of Kingſton for the time being, and their ſucceſſors; and they are hereby as fully authorized and empowered to ſue for the ſame, as they are herein before authorized and empowered to ſue for the tranſient and parochial taxes of the ſaid pariſh.

Juſtices and veſtry of Kingſton to rent out the ſtalls in the beef-market.

Rents to be paid to the churchwardens,

or ſued for by them.

XI. And whereas it hath lately been a practice, in the ſaid town of Kingſton, to put wood and lumber in the ſtreets and avenues of the ſaid town, leading to and from the ſea, and for keeping horſes, chaiſes, carts, and ſuch kind of carriages, in the piazzas in the ſtreets of the ſaid town, by means whereof paſſengers are much obſtructed, and otherwiſe in great danger: For remedy whereof, Be it enacted by the authority aforeſaid, That if any perſon or perſons ſhall, at any time after the paſſing of this act, put any wood, lumber, or any other thing whatſoever, in the ſtreets or avenues of the ſaid town of Kingſton, leading to the ſea, whereby the paſſage to or from the ſame may be any ways obſtructed, or keep his, her, or their horſe or horſes, chaiſe or chaiſes, cart or carts, or any other kind of carriages whatſoever, in the piazzas in the ſaid town, every perſon or perſons ſo offending ſhall forfeit, for every ſuch offence, the ſum of five pounds; to be levied, in a ſummary way, before any one of the juſtices of the peace of the ſaid pariſh; one moiety whereof ſhall be to the uſe of the poor of the ſaid pariſh, and the other moiety to the informer, or the perſon who

Perſons putting lumber, &c. in the ſtreets or avenues,

or horſes, chaiſes, &c. in piazzas, to forfeit 5*l.*

Recovery and application of penalties.

who ſhall make ſuch complaint; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

CAP. XII.

An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.—[23d December, 1769.] EXPIRED.

CAP. XIII.

An act for explaining and amending the ſeveral highway laws now in force, and rendering the ſaid laws more effectual.—[23d December, 1769.] EXPIRED.

CAP. XIV.

An act to revive an act entitled, "*An act for explaining, amending, and rendering more effectual,* [an act entitled,] '*An act for ſettling the militia.*"—[23d February, 1770.] EXPIRED.

CAP. XV.

An act for applying the ſurpluſage of the money already ariſen, or that ſhall ariſe, by virtue of an act entitled, "*An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof,*" *to certain uſes.*—[14th April, 1770.] EXPIRED.

CAP. XVI.

An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes; and for authorizing, requiring, and compelling, the juſtices and veſtry of the pariſh of St. James to iſſue a roll of poll-tax; and other purpoſes therein mentioned.—[19th April, 1770.] EXPIRED.

CAP. XVII.

An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.—[19th April, 1770.] EXPIRED.

Anno regni Georgii tertii undecimo.

CAP. I.

An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes.—[23d December, 1770.] EXPIRED.

CAP.

CAP. II.

EXPIRED. *An act for applying the ſurpluſage of the money that ſhall ariſe by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," to certain uſes.*—[19th December, 1770.]

CAP. III.

An act for remedying the inconveniencies which may ariſe from the number of negro huts and houſes, built in and about the towns of St. Jago de la Vega, Port-Royal, and Kingſton.—[19th December, 1770.]

Preamble. WHEREAS many inconveniencies have ariſen, and daily do ariſe, from the number of negro huts and houſes being built, in and about the towns of St. Jago de la Vega, Port-Royal, and Kingſton, on lots of land detached and ſeparate from the houſes or habitations of the owners of ſuch lots; by which means ſuch huts or houſes become a refuge and receptacle for thieves, looſe, idle, and runaway negroes, and other ſlaves, belonging to the ſaid towns and other pariſhes: And whereas ſuch number of runaway negro and other ſlaves, from different parts of the iſland, daily reſorting to and being harboured in the ſaid huts or houſes, give an opportunity of forming cabals and conſpiracies, dangerous to the public peace and ſecurity: For remedy whereof, May it pleaſe your moſt excellent majeſty that it may be enacted; be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That all and every owner or owners of lots of land, in and about the ſaid towns of St. Jago de la Vega, Port-Royal, and Kingſton, whereon now is or are built, or on which any owner or owners hereafter may build, cauſe or ſuffer to be built, any hut or huts, houſe or houſes, for the habitation of any negro or other ſlaves, being ſeparate and apart from the dwelling-houſe of ſuch owner or owners, do deliver in, to the clerks of the veſtries of the ſaid reſpective towns, an account of the number and places of ſuch hut or huts, houſe or houſes, as is or are now built, and of the negro and other ſlaves reſident in each of the ſaid hut or huts, houſe or houſes, now built, within three months from the paſſing of this act; and for all and every hut or huts, houſe or houſes, as may hereafter be built, within one month after the erecting ſuch hut or huts, ſo as to be inhabited or become habitable.

Owners of land, on which detached negro-houſes are, to deliver in accounts of them, and of the negroes reſiding therein, within three months;

and in a month after building new ones.

II. And be it further enacted by the authority aforeſaid, That every hut or houſe ſo built or to be built, not exceeding the number of four, ſhall have but one door of entry; but where there ſhall be four or more huts or houſes, belonging to the ſame owner or owners, then ſuch huts or houſes ſhall be encloſed or compaſſed round with a fence of brick, ſtone, boards,

Houſes to have but one door.

If four belong to one perſon,

boards or paliſadoes, of the height of ſeven feet at the leaſt; which ſhall be kept in good and ſufficient repair (and that all other fences ſhall be deſtroyed); each of which encloſures ſhall have but one door of entry.

they must be enclosed, and have but one door.

III. And be it further enacted by the authority aforeſaid, That in caſe any owner or owners of ſuch hut or huts, houſe or houſes, which are built, or hereafter may be built, ſhall neglect or refuſe to deliver in ſuch account, or ſhall neglect ſo to encloſe ſuch huts or houſes as before directed, or ſuffer or permit any negro or other ſlave to dwell therein, except ſuch as belong to, or are employed by, the proprietors of the ſaid hut or huts, houſe or houſes, then it ſhall and may be lawful to and for the juſtices and veſtry of the ſaid reſpective towns, by order in writing under their hands and ſeals, to cauſe ſuch hut or huts, houſe or houſes, to be pulled down; which order ſhall be entered of record in the veſtry-book.

Persons neglecting to give in accounts,

or to enclose,

or suffering negroes not in their service to stay there,

houses to be pulled down.

IV. And be it further enacted by the authority aforeſaid, That the ſecretary of this iſland do cauſe a copy of this act to be fixed up in the moſt public place of each of the ſaid three towns, and that he alſo ſend a copy thereof to the juſtices and veſtry of each of the ſaid towns, within fifteen days after the paſſing of this act.

Copies of this act to be fixed up, and sent to the vestries.

CAP. IV.

An act for appointing Stephen Fuller, eſquire, an agent in Great-Britain, to ſolicit the paſſing of laws, and for tranſacting in Great-Britain other public affairs of this iſland; and for empowering certain members of the council and aſſembly, during the intervals of aſſembly, from time to time, as occaſion ſhall be, to give inſtructions for ſuch his management.—[19th December, 1770.]

EXPIRED.

CAP. V.

An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.—[19th December, 1770.]

EXPIRED.

CAP. VI.

An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.—[19th December, 1770.]

EXPIRED.

CAP. VII.

An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's thirty-ſixth and ſixty-ſixth regiments of foot.—[19th December, 1770.]

EXPIRED.

CAP. VIII.

EXPIRED. *An act againſt the forging and counterfeiting of foreign coins, made current in this iſland, and ſuch foreign coins as are now, or ſhall hereafter be, taken and received by general conſent in payment in this iſland; and againſt clipping, diminiſhing, and impairing, of the ſame; and for preventing the bringing-in of counterfeit or forged coins of foreign realms, made current, or now or hereafter taken, or to be taken, and received, in payment, by general conſent in this iſland; and alſo for preventing the uttering or paſſing of ſuch falſe and counterfeit coin.*—[23d December, 1770.]

CAP. IX.

EXPIRED. *An act for the better regulating, training, and diſciplining, the militia; and for enforcing and rendering more effectual an act entitled, "An act for ſettling the militia."*—[23d December, 1770.]

CAP. X.

EXPIRED. *An act for eſtabliſhing and declaring rules and articles of war.*—[23d December, 1770.]

CAP. XI.

An act for further regulating the importation of Madeira wine, and other wines, into this island.

[19th December, 1770.]

Preamble. WHEREAS it hath been a practice of importing Madeira wine, and other wines, into this iſland, for ſale, in caſks containing leſs quantities than the ſame ought to contain; and the ſame being ſold by the caſk, without gauging, tends to the encouragement of fraud and deceit in that ſort of trade: To the intent, therefore, that a ſpeedy and effectual ſtop may be put to ſuch practices for the future, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted, and be it enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That, from and after the firſt day of July, which will be in the year of our Lord one thouſand ſeven hundred and ſeventy-two, all Madeira wine and other wines imported into this iſland, in caſks and not in bottles, ſhall be imported in caſks made to contain the ſeveral quantities herein after mentioned; that is to ſay, Every pipe ſhall be made to contain not leſs than one hundred and twenty-ſix gallons; every hogſhead ſhall be made to contain not leſs than ſixty-three gallons; and every caſk, called a quarter-caſk, ſhall be made to contain not leſs than thirty-one gallons; under the penalty of paying to your majeſty, your heirs and ſucceſſors, for every ton of Madeira wine or other wines ſo imported, fifty pounds *per* ton, and ſo in proportion for any greater or leſſer quantity ſo imported, over and above

Wines, unleſs in bottles, to be imported in

pipes containing 126 gallons, hogsheads, 63, or quarter-casks, 31; under penalty of 50*l. per* ton.

above the duties laid or impoſed, by any laws now in force in this iſland, upon Madeira or other wines imported into this iſland: And the ſame ſhall be levied and paid to the receiver-general, his deputy or collector, in the ſame manner as the other duties on Madeira wine and other wines have been heretofore levied and paid by an act of the governor, council, and aſſembly of this iſland, paſſed in the year of our Lord one thouſand ſeven hundred and twenty-eight, entitled, *An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof*; any thing in this or any other law contained to the contrary in anywiſe notwithſtanding.

Penalties to be levied, and paid to the receiver-general, as other duties are by

1 *Geo.* II, *cap.* 1.

CAP. XII.

An act for the ſale of butter, ſoap, candles, tallow, rice, flour, and biſcuit, by weight, and not by invoice.

[19th December, 1770.]

Preamble.

WHEREAS great inconveniencies have ariſen from the ſelling of butter, ſoap, candles, tallow, rice, flour, and biſcuit, by invoice, and not by weight: For remedy whereof, We, your majeſty's moſt dutiful and loyal ſubjects, the governor, council, and aſſembly, of this your majeſty's ſaid iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted, and it is hereby enacted and ordained by the authority of the ſame, That, from and after the paſſing of this act, no butter, ſoap, candles, tallow, rice, flour, or biſcuit, ſhall be ſold by invoice, or in any other manner than by weight: And if any ſeller of ſuch butter, ſoap, candles, tallow, rice, flour, or biſcuit, ſhall ſell the ſame contrary to the true intent and meaning hereof, ſuch ſeller ſhall, for each firkin of butter, box of ſoap, box of candles, keg of tallow, tierce or barrel of rice, barrel of flour, or caſk of biſcuit, he ſhall ſo ſell, forfeit the ſum of two pounds; to be recovered in a ſummary manner, before any one juſtice of the peace, by the oath of one or more credible witneſs or witneſſes, or the confeſſion of the party; one half of which forfeitures ſhall go to the poor of the pariſh wherein ſuch offence ſhall be committed, and the other moiety thereof ſhall be to the informer, or him or them who ſhall ſue for the ſame.

Sale of the articles here mentioned to be only by weight.

Penalties on contravention.

Recovery and application thereof.

CAP. XIII.

EXPIRED.

An act for adding commiſſioners to thoſe already appointed in and by an act entitled, "An act for amending and keeping in repair a road leading from Pepper Plantation, over May-Day Hills, in the pariſh of St. Elizabeth, to St. Jago Plantations, in the pariſh of Clarendon; and for veſting in truſtees the toll raiſed by a turnpike on the ſaid May-Day Hills, for the purpoſes aforeſaid."—[19th December, 1770.]

CAP. XIV.

An act for empowering the justices and vestry of the parish of St. Catherine to purchase a lot or lots of land, for erecting a market-house or market-houses in the town of St. Jago de la Vega, for the sale of fresh meat and fresh fish; and for laying a tax on the inhabitants of said parish, for keeping a nightly watch in the said town; and for repealing part of a clause of an act of the lieutenant-governor, council, and assembly, entitled, "An act to vest certain parcels of land, situate, lying, and being, in the parish of St. Catherine, in the justices, vestrymen, and churchwarden or churchwardens, of the said parish, [and the justices, vestrymen, and churchwarden or churchwardens, of the said parish] *for the time being, for the use of the inhabitants of the said parish; and to enable the present justices, vestrymen, and churchwarden or churchwardens, of the said parish, or the justices, vestrymen, and churchwarden or churchwardens for the time being, to maintain or defend any suit* [or suits] *at law or in equity for recovery of the same, or any part or parcel thereof, and to make leases of part of the said lands, for the use of the said parish;" and other purposes therein mentioned.*

[23d December, 1770.]

Preamble.

WHEREAS the present market-house in the town of St. Jago de la Vega, in the parish of St. Catherine, is found too small and insufficient for the selling of all kinds of fresh meats; and there being no fixed place or places in the said town of St. Jago de la Vega for the sale of fresh fish; it is therefore become highly necessary that a proper market-house or market-houses be erected or built, for the convenience of the sellers and buyers, both of fresh meat and fresh fish, in the said town, and for the better convenience of selling and buying fresh meat and fresh fish in the said town: May it please your most excellent majesty that it may be enacted, and be it enacted by the governor, council, and assembly, of this your majesty's island of Jamaica, and it is hereby enacted by the authority of the same, That the justices and vestry of the said parish of St. Catherine for the time being be, and they are hereby, empowered

Justices and vestry empowered to

to

to lay out and allot a ſufficient piece of ground in the ſaid town, belonging to the ſaid pariſh, or to purchaſe any lot or lots of land in the ſaid town, if occaſion ſhall be, for the erecting and building the ſaid market-houſe or market-houſes upon, in the ſaid town, for the more convenient buying and ſelling of all kinds of freſh meats and freſh fiſh; and to contract and agree with the workmen, and to purchaſe all materials for the erecting and building ſuch market-houſe or market-houſes in the ſaid town, for the purpoſes aforeſaid; the charge and expence of which ſhall be levied and raiſed, by an equal tax on the inhabitants of the ſaid pariſh, by the juſtices and veſtry aforeſaid, who are hereby empowered to lay, levy, and raiſe, a tax on the inhabitants of the ſaid pariſh, for that purpoſe: Provided nevertheleſs, That the ſum or ſums of money, ſo to be levied and raiſed for the purpoſes aforeſaid, ſhall not exceed, in the whole, the ſum of ſeven hundred pounds.

allot or purchase land for erecting a market-house in St. Jago de la Vega;

to agree with workmen;

defray the expence by a tax

(not exceeding 700*l.*);

II. And be it further enacted by the authority aforeſaid, That the ſaid juſtices and veſtry for the time being ſhall, and they are hereby authorized and empowered to, nominate and appoint a proper perſon or perſons to look after and take care of the ſaid market-houſe or market-houſes, ſo to be erected and built for the purpoſes aforeſaid, with ſuch reaſonable ſalary as they the ſaid juſtices and veſtry ſhall think proper, (which ſalary the ſaid juſtices and veſtry are hereby empowered to raiſe upon the inhabitants of ſaid pariſh); and ſuch perſon or perſons, for miſdemeanor or neglect, to diſplace and remove, and, in caſe of his death, reſignation, deprivation, or removal, other or others in his ſtead to appoint and put.

and to appoint a proper person to take care of the market-house,

with a salary,

to be raised on the parishioners.

III. And be it further enacted by the authority aforeſaid, That if any white perſon or perſons, free negro, free mulatto, or Indian, ſhall be found ſelling or vending, or offering to ſell or vend, any freſh fiſh whatſoever, between the hours of ſix of the clock in the forenoon and two of the clock in the afternoon, in any other place or places in the ſaid pariſh, within five miles of the ſaid town of St. Jago de la Vega, than ſuch as ſhall be appointed by the juſtices and veſtry as aforeſaid, every ſuch white perſon, free negro, free mulatto, or Indian, ſhall forfeit for every ſuch offence the ſum of twenty ſhillings; to be recovered, in a ſummary way, before any one of the juſtices of the peace of the ſaid pariſh; one moiety whereof ſhall be to the uſe of the poor of the ſaid pariſh, and the other moiety to the informer, or the perſon complaining.

Penalty of 20*s.* on persons vending fish, at other places, between the hours of six and two.

Penalty how to be recovered and applied.

IV. And be it further enacted by the authority aforeſaid, That if any negro, mulatto, or Indian, not being of a free condition, ſhall be found ſelling or vending, or offering to ſell or vend, any freſh fiſh whatſoever, between the hours aforeſaid, in any other place or places in the ſaid pariſh, within five miles of the ſaid town of St. Jago de la Vega, than ſuch as ſhall be appointed as aforeſaid, ſuch negro, mulatto, or Indian, ſhall be puniſhed for ſuch offence at the diſcretion of any of his majeſty's juſtices of the peace of

If slaves offer fish for sale, at other places, magistrates to award punishment.

and the fish to be forfeited to the poor.

of the ſaid pariſh of St. Catherine; and the freſh fiſh ſo ſold, or offered for ſale, ſhall be forfeited, and diſtributed among the poor of the ſaid pariſh; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Juſtices and veſtry empowered to hire the ſtalls in ſaid market-houſe,

V. And whereas there is not ſufficient power and authority veſted in the juſtices and veſtry, to let out or hire the ſtalls and ſtanding-places in the market-houſe or market-houſes erected and built, or to be erected and built, in the ſaid town of St. Jago de la Vega, for the purpoſes aforeſaid: Be it therefore enacted and ordained by the authority aforeſaid, That, after the paſſing of this act, it ſhall and may be lawful to and for the juſtices and veſtry of the ſaid pariſh for the time being, and their ſucceſſors, to let out or hire, from time to time, the ſtalls belonging to the ſaid market-houſe or market-houſes in the ſaid town, for the uſe of the ſaid pariſh, for ſuch time or term, and for ſuch yearly rent or rents, as the ſaid juſtices and veſtry of ſaid pariſh for the time being ſhall, from time to time, agree for; and the monies ariſing therefrom ſhall, by the ſaid juſtices and veſtry, be paid and applied in the repairing, and keeping in repair, the ſaid market-houſe or market-houſes, and to no other uſe or purpoſes whatſoever,

and to apply the rents to keeping the same in repair.

Churchwardens conſtituted a body politic and corporate,

VI. And whereas doubts may ariſe whether the ſaid juſtices and veſtry, or the churchwardens, of the ſaid pariſh for the time being, and their ſucceſſors, have ſufficient power and authority veſted in them to ſue for the ſaid rents of the ſaid ſtalls and ſtanding-places in ſuch market-houſe or market-houſes: Be it further enacted by the authority aforeſaid, That the ſaid churchwardens of the ſaid pariſh of St. Catherine for the time being, and their ſucceſſors, may and ſhall be a body politic and corporate, and ſhall be incorporated, eſtabliſhed, and founded, in name and in deed, a body politic and corporate, to have continuance for ever, by the name of THE CHURCHWARDENS OF ST. CATHERINE, and [*by*] that name to have perpetual ſucceſſion; and the ſaid churchwardens, and their ſucceſſors for the time being, ſhall and may have full power and authority, in all matters whatſoever relative to the ſaid ſtalls and ſtanding-places, to ſue and be ſued, implead and be impleaded, to anſwer and be anſwered unto, in the ſupreme court of judicature of this iſland, and in all manner of courts and places that now are, or hereafter ſhall be, within this iſland of Jamaica, in all manner of ſuits whatſoever, and of what nature and kind ſoever ſuch ſuits and actions be or ſhall be, in the ſame ample manner and form, to all intents, conſtructions, and purpoſes, as any other perſon or perſons, bodies politic and corporate in the realm of Great-Britain, being able perſons in law, may do.

for matters reſpecting the ſtalls in the market-houſe.

Churchwardens to account to the juſtices and veſtry.

VII. And be it further enacted by the authority aforeſaid, That the ſaid churchwardens of the ſaid pariſh for the time being, or their ſucceſſors, ſhall, from time to time, be reſponſible and amenable to the juſtices and veſtry for the ſaid pariſh for the time being, for all ſuch ſum and ſums of

mone-

money that they ſhall or may receive, by virtue or in conſequence of ſuch ſuit or ſuits, action or actions, in like manner as the churchwardens in the ſeveral pariſhes in this iſland are reſponſible and amenable, for any other matter or thing whatſoever.

Free people killing any cattle, to produce vouchers of the property,

VIII. And be it further enacted by the authority aforeſaid, That all free mulattoes, free negroes, and Indians, killing any horned cattle, ſheep, lambs, goats, or kids, to be ſold in the ſaid market-houſe or market-houſes, ſhall, before he or they, or any of them, be at liberty to ſell or vend the ſame, be obliged to produce, to the clerk of the market, a receipt from the perſon or perſons of whom the ſame were purchaſed, or a certificate from the owner or owners of ſuch horned cattle, ſheep, lambs, goats, or kids, empowering him or them to kill and ſell the ſame; and ſhall alſo produce, to the ſaid clerk of the market, the ſkin of the cow, ſteer, bull, calf, ſheep, lamb, goat, or kid, ſo killed, for the inſpection of the clerk of the ſaid market, on penalty of forfeiting all and every ſuch horned cattle, ſheep, lambs, goats, or kids, as ſhall be ſo brought into the market-houſe or market-houſes for ſale; to be determined by any one juſtice of the peace in the ſaid pariſh; one moiety of which forfeiture ſhall be to the clerk of the market in the ſaid town of St. Jago de la Vega, and the other moiety to the uſe of the poor of the ſaid pariſh of St. Catherine.

and skins,

under penalty of forfeiting the cattle, at discretion of a magistrate.

Application of forfeitures.

IX. And whereas frequent burglaries and robberies have been committed in the ſaid town of St. Jago de la Vega: For preventing of which for the future, and for ſecurity of the ſaid town, Be it further enacted and ordained by the authority aforeſaid, That, when it ſhall be found neceſſary, one or more watch or watches ſhall be kept in the ſaid town of St. Jago de la Vega, at ſuch place or places, and in ſuch manner and number, as the juſtices and veſtry of the ſaid pariſh of St. Catherine for the time being ſhall direct and appoint.

A nightly watch may be kept in the town of St. Jago de la Vega.

X. And, for the better upholding and ſupporting the ſaid watch, and encouragement of the watchmen carefully to do their duty, be it further enacted by the authority aforeſaid, That the ſaid juſtices and veſtry may, and they are hereby empowered and required to, lay a juſt and equal tax, as well on the tranſient traders in the ſaid town, as on the inhabitants of the ſaid pariſh of St. Catherine, once every year, not exceeding the ſum of one hundred pounds; which ſaid tax ſhall be levied and collected in the ſame manner as the pariſh-taxes are uſually levied and collected, and ſhall be paid into the hands of the churchwardens of the ſaid pariſh for the time being, to be applied, by the juſtices and veſtry, in the upholding and ſupporting the ſaid nightly watch in the ſaid town, in ſuch manner as they ſhall think proper.

Juſtices and veſtry to lay a tax for ſupport of the watch.

XI. And

6 Geo. III. cap. 4.

XI. And whereas, in and by a certain act of the lieutenant-governor, council, and aſſembly of this iſland, entitled, *An act to veſt certain parcels of land, ſituate, lying, and being, in the pariſh of St. Catherine, in the juſtices, veſtrymen, and churchwarden or churchwardens, of the ſaid pariſh, and the juſtices, veſtrymen, and churchwarden or churchwardens, of the ſaid pariſh for the time being, for the uſe of the inhabitants of the ſaid pariſh; and to enable the preſent juſtices, veſtrymen, and churchwarden or churchwardens, of the ſaid pariſh, or the juſtices, veſtrymen, and churchwarden or churchwardens for the time being, to maintain or defend any ſuit or ſuits at law or in equity for recovery of the ſame, or any part or parcel thereof, and to make leaſes of part of the ſaid lands, for the uſe of the ſaid pariſh*, paſſed in the year of our Lord one thouſand ſeven hundred and ſixty-ſix, it is, among other things, enacted, That the cuſtos for the pariſh and precinct of St. Catherine for the time being, and ſuch juſtices of the ſaid pariſh and precinct as are freeholders of the ſaid pariſh of St. Catherine (and not otherwiſe), and the veſtrymen and churchwardens for the time being, and their ſucceſſors, ſhould, and they were thereby declared to, be a body incorporate, for the purpoſes therein mentioned, and no further; and they, and the ſucceſſors of the cuſtos and juſtices who ſhould be freeholders of the ſaid pariſh, and the ſucceſſors of the ſaid veſtrymen and churchwardens, or the majority of them preſent, ſhould, from and after the paſſing the ſaid act, when duly ſummoned and met in veſtry, and not otherwiſe, have full power and lawful authority, from time to time, to demiſe, leaſe, and to farm let, any part of the ſaid pariſh-lands (except five hundred acres, particularly in the ſaid law mentioned), for any term not exceeding ninety-nine years, at an annual rent, not leſs than five ſhillings *per* acre, for all ſuch lots of the ſaid land as ſhould be leaſed by the acre, each lot whereof not to contain leſs than five acres; and for all ſuch lots of the ſaid land as ſhould be leaſed by the foot, at an annual rent not leſs than ſix pence *per* foot, to be computed in the manner as foot-lands are chargeable for quit-rents: And whereas it hath been found that, by the annual rent of ſaid foot-land being reſtricted to ſix pence *per* foot, the relief intended to be given by that part of the ſaid act is rendered uſeleſs and ineffectual: Be it therefore enacted and ordained by the authority aforeſaid, That ſo much of the ſaid clauſe of the ſaid herein before-recited act, as relates to the annual rents of the foot-lands be, and the ſame is hereby, repealed; and that, from and after the paſſing of this act, all ſuch lots of the ſaid foot-land, as ſhall be ſo leaſed by the foot, ſhall be leaſed at an annual rent not leſs than the ſum of two pence *per* foot, to be calculated upon the meaſurement of two ſides to the ſquare, and not otherwiſe; the ſaid in part recited law, or any other law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Recital of *clauſe 1 of the above act.*

Repeal of the part fixing rent of foot-lands;

which may be leaſed at *2d. per* foot.

CAP.

CAP. XV.

An act for settling the proceedings and fees of the coroners of this island.—[19th December, 1770.]

Preamble.

WHEREAS, by the laws and ſtatutes of England, coroners are obliged, under certain penalties, to iſſue warrants for ſummoning jurors, and to take inquiſitions on the bodies of all perſons who ſhall die in gaol, or be found dead in other places; which laws and ſtatutes are in force in this iſland: And whereas the coroners in this iſland are ſubject and liable to ſuch penalties: And whereas, by a clauſe in an act of this iſland, entitled, *An act for regulating fees*, it is enacted that the coroner's fees be, for each inquiſition taken on the body of any perſon that came by an untimely death (to be paid out of the eſtate of the perſon deceaſed, and, where no eſtate is found, then to be paid by the churchwardens of the pariſh where the inquiſition is taken), three pounds; which ſaid clauſe being uncertain as to inqueſts taken on ſlaves, and the coroners put to great difficulties in recovering their fees for ſuch inqueſts: And whereas it is become burthenſome to the pariſhes, where the county gaols are kept, to pay the fees of the coroners for all inquiſitions taken on perſons dying in ſuch gaols, not having eſtate to pay for the ſame, and which ought to be made more equal: For remedy whereof, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted, and be it enacted by the governor, council, and aſſembly of the ſaid iſland, and it is hereby enacted by the authority of the ſame, That, from and after the paſſing of this act, the ſeveral coroners of this iſland, upon any body being found dead in any of the pariſhes of this iſland, the coroner of ſuch pariſh ſhall, upon the firſt notice or information thereof to him given, cauſe the body to be viewed, and an inquiſition taken thereon, agreeable to the laws of England in ſuch caſe made and provided, and act, in every matter and thing relative thereto, agreeable to ſuch laws: And ſuch coroner, for ſuch inquiſition, ſhall be intitled to have and receive, for ſuch inquiſition ſo taken, the ſum of three pounds of current money of this iſland; to be paid, if a white perſon or a perſon of free condition, out of the goods and chattels of the perſon ſo found dead; but if no goods or chattels of the deceaſed ſhall be found, or ſuch perſon ſhall be a ſlave, then, and in that caſe, the ſaid ſum of three pounds ſhall be paid to ſuch coroner, in caſe ſuch body ſhall be found at large by the churchwardens of the pariſh where ſuch inquiſition ſhall be taken; and in caſe ſuch perſon ſhall be found dead in any or either of the county gaols, for the ſeveral counties of Middleſex, Surrey, and Cornwall, the ſaid ſum of three pounds, for each inqueſt ſo taken, ſhall be paid to the coroner taking the ſame by the receiver-general for the time being, out of any money in his hands unappropriated, which

10 *Ann, cap. 4.* Recital of *clauſe 15 of the above act.*

Coroner, upon notice of a body being found dead, to cause it to be viewed, and an inquiſition taken;

for which he is to have 3*l.*

Payment for free perſons;

for inſolvents and ſlaves;

and for priſoners.

ſhall be made good to him by the public; any thing in this or any other law to the contrary in anywiſe notwithſtanding.

CAP. XVI.

An act to carry into execution the eighth [now the fifth] *clause of an act entitled, "An act for the encouragement of good and able ministers to come to this island;" and to prevent any minister, being the incumbent of any parish in this island, to officiate as minister or curate of any other parish.*—[23d December, 1770.]

Preamble.

5 *Ann, cap.* 1.

Recital of *clause* 5 *of the above act.*

WHEREAS, by an act of the governor, council, and aſſembly, paſſed in the year of our Lord one thouſand ſeven hundred and ſix-ſeven, entitled, *An act for the encouragement of good and able miniſters to come to this iſland*, it is, amongſt other things, enacted, That no perſon whatſoever, though duly qualified, and obtaining the ordinary [*ordinary's*] preſentation for any pariſh within this iſland, ſhall aſk, demand, or take, any ſum or ſums of money for any further or longer time than he ſhall actually officiate as miniſter of the ſaid pariſh (ſickneſs only excepted); any law, cuſtom, or uſage, to the contrary notwithſtanding: And whereas ſeveral of the miniſters of this iſland who have not officiated, and do not officiate, as miniſters in their reſpective pariſhes have, nevertheleſs, demanded and taken the income of their ſeveral cures: And whereas the juſtices and veſtrymen of the ſeveral pariſhes in this iſland have taken upon themſelves to pay, or have ordered the reſpective churchwardens to pay, ſuch miniſters the income of their reſpective cures, in expreſs violation of the above-recited clauſe in the act above-mentioned contained: For remedy whereof, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly of this your majeſty's ſaid iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That if any miniſter of any pariſh in this iſland (except where there is no houſe provided for the reſidence of ſuch miniſter, or no ſum of money allowed by the juſtices and veſtry for the hire of a houſe), who does not officiate as miniſter, and reſide in his pariſh (ſickneſs, on proof thereof being given, upon oath of the miniſter, or practitioner of phyſic and ſurgery attending him, before a magiſtrate, and the ſame lodged in the hands of any one of the churchwardens of ſuch pariſh, or abſence on his private affairs, and that for a term not exceeding in the whole, in any one year, two calendar months, and not exceeding one calendar month at any one time) ſhall, after the paſſing of this act, preſume to aſk, demand, take, and receive, any ſtipend, or ſum or ſums of money, from the churchwarden or churchwardens

Penalty of 50*l.* on miniſters taking any ſtipend when they do not officiate and reſide, unleſs in certain caſes.

churchwardens of ſuch pariſh, or from any perſon on behalf of ſuch churchwarden or churchwardens of ſuch pariſh, as miniſter, on any pretence whatſoever, he ſhall, for every offence, forfeit the ſum of fifty pounds current money of Jamaica: Provided always, That nothing in this act contained ſhall at any time extend, or be conſtrued to extend, to the domeſtic chaplain for the time being of his excellency the governor, or commander in chief, for the time being, or to the chaplain for the time being of the council or aſſembly, during the ſeſſion of the aſſembly.

Exception for chaplains to the legislature.

II. And be it enacted by the authority aforeſaid, That if any of the juſtices and veſtrymen, or if any churchwarden, of any of the pariſhes of this iſland, ſhall take upon themſelves, or himſelf, to pay, or cauſe to be paid, by order of veſtry, or otherwiſe, any ſtipend, or ſum or ſums of money to any miniſter of any pariſh in this iſland, who does not reſide and officiate as ſuch in his pariſh, every juſtice, veſtryman, and churchwarden, ſo offending, ſhall, for every offence, reſpectively forfeit the ſum of five pounds current money of Jamaica: Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to prohibit any miniſters from employing any perſons, duly qualified, to reſide and officiate as miniſters or curates in their ſtead; but, in ſuch caſe, it ſhall and may be lawful for the incumbents of ſuch pariſhes, and they are hereby authorized and empowered, to demand and receive the incomes of their reſpective cures, where their curates have duly reſided and not otherwiſe: Provided nevertheleſs, That no incumbent of any pariſh in this iſland ſhall be allowed to officiate as miniſter or curate of any other pariſh, as aforeſaid, under the penalty of ten pounds current money of Jamaica, for every offence, except as aforeſaid.

Penalty on those paying non-residents.

Incumbents to be paid if they employ curates;

but no incumbent to act as curate.

III. And be it further enacted by the authority aforeſaid, That all penalties on the miniſters, juſtices, veſtrymen, and churchwardens, who ſhall hereafter tranſgreſs, and which are in this act mentioned, and are not declared where they ſhall be recovered, or how diſpoſed of, ſhall be recovered in the ſupreme court of judicature of this iſland, by action of debt, bill, plaint, or information, wherein no eſſoin, wager of law, or injunction, ſhall be granted, or *non vult ulterius proſequi* be entered or allowed; and ſhall be paid into the hands of any one of the waywardens, for the time being, of the pariſh where the offence ſhall be committed, for and towards the uſe of the roads of the ſaid pariſh.

Recovery of penalties;

which are to be applied to mending roads.

IV. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to give permiſſion to any beneficed miniſter to depart this iſland, without leave or licenſe firſt obtained from his excellency the governor, lieutenant-governor, or commander in chief, for the time being.

No beneficed minister to go off without permission.

CAP. XVII.

DISALLOWED. *An act for dividing the parish of St. James into two distinct parishes, for the ease of the inhabitants.*—[19th December, 1770.]

CAP. XVIII.

An act declaring the barracks at Oracabessa and Jack's Bay, in the parish of St. Mary, public barracks; and to enable the justices and vestry of the said parish to lay a tax for the keeping them in good and sufficient repair; and to enable the justices and vestry of the parish of St. Dorothy to lay a tax for the purposes herein mentioned.

[23d December, 1770.]

1 Geo. III. cap. 19.

WHEREAS in and by an act of this island, entitled, *An act to oblige the justices and vestrymen of several parishes in this island to build, repair, and keep in repair, barracks, magazines, and arsenals, in their respective parishes*, passed the fifteenth day of December, in the year of our Lord one thousand seven hundred and sixty, it is, among other things, recited, That whereas a barrack is already built and completed at Puerto-Maria-Bay, in the said parish of St. Mary, by a private subscription of several of the inhabitants thereof; and it is also, among other things, therein enacted and ordained, That the said barrack shall be deemed as the barrack of that parish; and it is also recited, That whereas several of the inhabitants of the parish of St. Mary had erected and built, by a private subscription among themselves, a barrack in the said parish, at a place called Oracabessa: And whereas, since the making the said law, a barrack hath been erected and built at a place called Jack's Bay, in the said parish of St. Mary: And whereas, in and by the said law, the said barrack at Puerto-Maria-Bay is alone made a public barrack: And whereas, the other barracks at Oracabessa and at Jack's Bay, in the said parish, ought to be made public barracks, and upheld and supported by a tax or taxes to be laid upon the said parish, in the same manner as that of Puerto-Maria: We, therefore, your majesty's most dutiful and loyal subjects, the assembly of this your island of Jamaica, humbly beseech your majesty that it may be enacted; Be it therefore enacted and ordained by the governor, council, and assembly, and it is hereby enacted and ordained by the authority of the same, and it is also hereby declared to be the true intent and meaning hereof, That, from and after the passing of this act, the said barracks so built at Oracabessa and Jack's Bay, in the said parish of St. Mary, shall be deemed as much the public barracks of the said parish as that built and [*at*] Puerto-Maria; and that the justices and vestrymen shall, and they are hereby required, authorized, and compelled, at the time of laying

Recital of *part of clause 2,*

and of *part of clause 6 of the above act.*

Barracks at Oracabessa and Jack's Bay deemed public barracks,

laying the taxes of the ſaid pariſh, to lay a ſufficient tax for the keeping in repair, as well the ſaid barracks at Oracabeſſa and Jack's Bay, as that [*at*] Puerto-Maria, under the ſame penalty, for every offence, as is enacted and declared in and by the ſaid in part recited act; any thing in the ſaid act contained to the contrary in anywiſe notwithſtanding.

Juſtices and veſtry to lay a tax for keeping all thoſe barracks in repair.

II. And whereas, by an act entitled, *An act to veſt a certain piece or parcel of land, in the pariſh of St. Dorothy, in truſtees, for the uſe of the inhabitants of the ſaid pariſh; and for veſting a certain piece of foot-land in John Spencer; and to empower the juſtices and veſtry of the ſaid pariſh of St. Dorothy to raiſe a tax upon the inhabitants of the ſaid pariſh, for certain purpoſes*, it is, among other things, enacted, That, the juſtices and veſtry for the pariſh of St. Dorothy are empowered to lay a tax on the inhabitants, to raiſe a ſum, not exceeding one hundred pounds a-year, towards keeping the barracks in repair: And whereas the ſaid ſum is inſufficient for that purpoſe: Be it further enacted by the authority aforeſaid, That the juſtices and veſtry for the pariſh of St. Dorothy be, and they are hereby, empowered to raiſe, upon the inhabitants of the ſaid pariſh, a further ſum, not exceeding one hundred pounds, over and above the ſum of one hundred pounds which, by the ſaid act, they are empowered to raiſe yearly and every year, during the cantonment of the king's troops at Old-Harbour-Bay; to be by them laid out and expended in building and making ſuch neceſſary repairs, for the proper accommodation of the ſoldiers, as they ſhall, from time to time, ſee occaſion to do, or judge neceſſary.

8 Geo. III. cap. 8.

Recital of *clauſe 5 of the above act.*

Juſtices and veſtry to raiſe a further ſum of 100*l.* for accommodating ſoldiery.

CAP. XIX.

An act to repeal part of an act entitled, "An act to reſtrain the inhabitants of the pariſh of Weſtmorland from working any carriages of burthen, but with broad wheels, on the roads in the ſaid pariſh."—[23d December, 1770.]

OBSOLETE.

CAP. XX.

An act [illegible] *to enter up ſatisfaction, in* [illegible] *their reſpective*

tisfaction on the record of the ſame, We, your majeſty's moſt dutiful and loyal ſubjects, the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted and ordained by the authority of the ſame, That, from and after the thirty-firſt day of December, in the preſent year of our Lord one thouſand ſeven hundred and ſeventy, the plaintiff or plaintiffs in the ſeveral judgment or judgments by him, her, or them, already obtained in any court of record in this iſland, or which ſhall or may at any time hereafter be obtained in any of the ſaid courts, or the executors, adminiſtrators, aſſignee or aſſignees, attorney or attornies, of ſuch plaintiff or plaintiffs, upon his, her, or their, having received full ſatisfaction and payment of all ſuch ſum or ſums of money as are really due to ſuch plaintiff or plaintiffs on ſuch judgment or judgments, or of his, her, or their heirs, executors, adminiſtrators, attorney or attornies, or his, her, or their legal repreſentatives, ſhall enter ſatisfaction upon the record of ſuch judgment or judgments: And in caſe ſuch plaintiff or plaintiffs, his, her, or their executors, adminiſtrators, aſſignee or aſſignees, attorney or attornies, or ſuch other perſon as ſhall be lawfully authorized ſo to do, and who have actually received ſuch ſum or ſums of money on ſuch judgment or judgments, ſhall, within three calendar months after requeſt and tender made for his, her, or their lawful charges, to the proper officer for entering on record ſuch ſatisfaction, refuſe or neglect to enter, or ſhall not, within the time aforeſaid, enter, upon the record of ſuch judgment or judgments ſo required to be entered as aforeſaid, ſatisfaction for the monies ſpecified in ſuch judgment or judgments, he, ſhe, or they, ſo refuſing or neglecting, ſhall, for every ſuch refuſal or neglect, forfeit and pay the ſum of one hundred pounds, current money of Jamaica, unto the party or parties aggrieved; to be recovered in the ſupreme court of judicature of this iſland, by action of debt, bill, plaint, or information, wherein no eſſoin, wager of law, or protection, ſhall be granted, or *non vult ulterius proſequi* be entered or allowed; any thing in this or any other act or law to the contrary thereof in anywiſe notwithſtanding.

Plaintiffs, &c. upon receiving payment, to enter ſatisfaction.

within three months after required,

under penalty of 100*l.*

Recovery thereof.

II. And whereas many plainti[ff] [the ſums due] on the judgments recover[ed] [court of] this iſland, and [judg]men[ts may] [id]

Where plaintiffs have died without te[ſtators]

miſtrator, or aſſignee of ſuch plaintiff, or [*to*] order ſatisfaction to be entered on ſuch judgments in the ſaid office of the clerk of the ſupreme court. and on payment of balances.

III. And be it further enacted by the authority aforeſaid, That the clerk of the court, where ſuch ſatisfaction on the record of the judgment ſhall be deſired or required to be entered as aforeſaid, ſhall, for every ſuch ſatisfaction ſo to be entered in his office, aſk, take, demand, and receive, for the ſame, the ſum of two ſhillings and ſix pence current money of Jamaica, and no more: And in caſe ſuch clerk in court, or any perſon or perſons officiating or acting for him, ſhall refuſe to enter ſuch ſatisfaction on the record of any judgment or judgments, upon tender and payment of the ſaid ſum of two ſhillings and ſix pence, or ſhall aſk, take, demand, or receive, any greater or other ſum or ſums of money than what is directed by this act, for entering ſuch ſatisfaction, ſuch clerk in court ſhall, for every ſuch neglect or refuſal, of himſelf or any perſon or perſons officiating or acting for him, forfeit to the party aggrieved the ſum of one hundred pounds current money of Jamaica; to be recovered by action of debt, bill, plaint, or information, in the ſupreme court of judicature of this iſland, wherein no eſſoin, wager of law, protection, or *non vult ulterius proſequi*, ſhall be granted or allowed; any thing in this or any other act or law to the contrary thereof in anywiſe notwithſtanding. Fees of the clerk of the court for entering ſatisfaction. Penalty of 100*l.* on extortion, to be paid to the party aggrieved. Recovery thereof.

CAP. XXI.

An act for regulating the proceedings of ſurveyors of land, and for the better regulating and eſtabliſhing their fees.—[23d December, 1770.] EXPIRED.

CAP. XXII.

An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.—[23d December, 1770.] EXPIRED.

CAP. XXIII.

An act to oblige the juſtices and veſtry of the ſeveral pariſhes of this iſland to make and erect pounds, for the better ſecuring of all ſtrays of horſes, mares, mules, aſſes, and horned cattle, belonging to the inhabitants of this iſland.—[23d December, 1770.] EXPIRED.

Anno regni Georgii tertii duodecimo.

CAP. I.

An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted EXPIRED.

granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes.—[21ſt December, 1771.]

CAP. II.

EXPIRED. *An act for applying the ſurpluſage of the money that ſhall ariſe by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," to certain uſes.*—[30th November, 1771.]

CAP. III.

EXPIRED. *An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.*—[30th November, 1771.]

CAP. IV.

EXPIRED. *An act appointing commiſſioners to ſettle the public accounts, and look into the ſtate of, and count the caſh in, the treaſury; and to oblige the receiver-general to keep one general account of caſh.*—[30th November, 1771.]

CAP. V.

EXPIRED. *An act for eſtabliſhing and declaring rules and articles of war.*—[30th November, 1771.]

CAP. VI.

EXPIRED. *An act to oblige the ſeveral collecting conſtables of the reſpective pariſhes of this iſland, in a ſummary manner, to pay over the parochial taxes into the hands of the reſpective churchwardens.*—[30th November, 1771.]

CAP. VII.

REPEALED. *An act to encourage the breed of good and large horſes.*—[30th November, 1771.]

CAP. VIII.

EXPIRED. *An act to inflict further puniſhment on perſons receiving ſtolen goods, knowing them to be ſtolen.*—[30th November, 1771.]

CAP. IX.

EXPIRED. *An act for the prevention of indebted perſons from departing this iſland in the time of martial law; and to empower the judges and juſtices to exerciſe their ſeveral offices in certain caſes; and to empower the juſtices and veſtry, and churchwardens, and ſurveyors of highways, to diſcharge their ſeveral duties; and to enable landlords to diſtrain for rent, notwithſtanding martial law.*—[30th November, 1771.]

CAP. X.

EXPIRED. *An act for the better regulating, training, and diſciplining, the militia; and for enforcing and rendering more effectual an act entitled, "An act for ſettling the militia."*—[30th November, 1771].

CAP.

CAP. XI.

An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's thirty-ſixth and ſixty-ſixth regiments of foot.—[21ſt December, 1771.] EXPIRED.

CAP. XII.

An act to add and enable the trustees to purchase a piece or parcel of land, for the benefit of the inhabitants of the parish of St. Dorothy; and other purposes.

[30th November, 1771.]

WHEREAS, in and by an act of the lieutenant-governor, council, and aſſembly of this iſland, paſſed in the year of our Lord one thouſand ſeven hundred and ſixty-ſeven, entitled, *An act to veſt a certain piece or parcel of land, in the pariſh of St. Dorothy, in truſtees, for the uſe of the inhabitants of the ſaid pariſh; and for veſting a certain piece of foot-land in John Spencer; and to empower the juſtices and veſtry of the ſaid pariſh of St. Dorothy to raiſe a tax upon the inhabitants of the ſaid pariſh, for certain purpoſes*, it is therein recited, That, whereas the juſtices and veſtry of the pariſh of St. Dorothy did heretofore purchaſe a certain piece or parcel of land, at or near Old-Harbour-Bay, in the ſaid pariſh, containing ſixteen acres, more or leſs, on which a dwelling-houſe and other houſes were erected and built, of and from Daniel Moore, Richard Watt, and Thomas Glough, for and in conſideration of the ſum of five hundred pounds, raiſed on the inhabitants of the ſaid pariſh, with an intent that the ſame ſhould be and remain for the uſe of the ſaid pariſh, to be by them appropriated as a barrack for ſoldiers, or ſuch other purpoſes as the juſtices and veſtry of the ſaid pariſh ſhould think proper; in conſequence of which, the ſaid Daniel Moore, Richard Watt, and Thomas Glough, did, by indenture of bargain and ſale, bearing date the firſt day of November, one thouſand ſeven hundred and ſixty-one, convey the ſame unto Richard Lewing and Matthew Halſted, of the pariſh of St. Dorothy, in the county of Middleſex, merchants, then churchwardens of the ſaid pariſh of St. Dorothy; which ſaid piece or parcel of land became veſted in the ſaid Daniel Moore, Richard Watt, and Thomas Glough, by virtue of a deed of conveyance made to them by Andrew Elrick and Mary his wife, bearing date the fifth day of April, one thouſand ſeven hundred and ſixty; but ſome doubts ariſing, in regard to the ſufficiency of the conveyance aforeſaid, made to the ſaid Richard Lewing and Matthew Halſted, churchwardens of the ſaid pariſh of St. Dorothy, how far the ſame may convey a property in the premiſes to the inhabitants of the ſaid pariſh of St. Dorothy: And whereas, in and by the ſaid act, the ſaid herein before-mentioned piece or parcel of land, with the erections and buildings thereon,

Preamble.

8 *Geo* III. *cap.* 8.

Recital of *clauſe* 1 *of the above act.*

containing by eſtimation ſixteen acres, more or leſs, ſo purchaſed as aforeſaid, were veſted in George Bonner, John M'Leod, Thomas Brooks, Richard Lewing, and James Prevoſt, their heirs and aſſigns, for ever; upon the ſpecial truſt and confidence, nevertheleſs, and to the intent and purpoſe, that the ſaid George Bonner, John M'Leod, Thomas Brooks, Richard Lewing, and James Prevoſt, ſhould hold the ſame for the uſe of the inhabitants of the ſaid pariſh; and that they, or any three of them, ſhould, from time to time, permit and ſuffer the juſtices and veſtry, or the major part of them, to appropriate the ſaid land and buildings, or any part thereof, to ſuch uſes and purpoſes as they ſhould think proper; and in caſe the ſaid juſtices and veſtry, or the major part of them, ſhould think it neceſſary that the ſame, or any part thereof ſhould be ſold, that then the ſaid George Bonner, John M'Leod, Thomas Brooks, Richard Lewing, and James Prevoſt, or any three of them, were thereby empowered to grant, bargain, and ſell, all or any part of the ſaid piece or parcel of land and premiſes as aforeſaid, thereby veſted in them, their heirs and aſſigns, with their and every of their rights, members, and appurtenances, and the fee ſimple and inheritance, unto one or more purchaſer or purchaſers, for the beſt price or prices that could be had or gotten for the ſame; and the ſaid truſtees were alſo empowered to execute all proper conveyances and aſſurances in the law, and to give receipts and other acquittances, unto ſuch purchaſer or purchaſers for the ſame, as in and by the ſaid act may appear: And whereas the ſaid act hath not had the deſired effect, inaſmuch as the ſaid truſtees are not thereby empowered to apply the money ariſing from ſuch ſale of the ſaid piece or parcel of land, houſes, and buildings, in the purchaſe of other lands, houſes, and buildings, to and for the uſe of the ſaid pariſh: And whereas the buildings on the ſaid piece or parcel of land, ſo veſted in the ſaid truſtees, are in a very ruinous condition, and cannot be repaired and kept up, but at a charge and expence far exceeding the ſum which the ſaid juſtices and veſtry are allowed by law to raiſe for the keeping the ſame in repair: And whereas the ſelling the ſaid piece or parcel of land, and the buildings thereon erected and built, and the purchaſing of a more convenient houſe and land in the ſaid pariſh, for the reception of the ſoldiers quartered in the ſaid pariſh, would be leſs burthenſome and of greater convenience to the inhabitants thereof: And whereas, by reaſon of the death of one of the truſtees appointed in and by the ſaid herein beforementioned act, it is neceſſary that one or more truſtee or truſtees ſhould be added and appointed in his room and ſtead, to carry the ſaid act into execution: May it therefore pleaſe your moſt excellent majeſty, at the humble ſuit of the juſtices, veſtry, and other inhabitants, of the ſaid pariſh of St. Dorothy, that it may be enacted, and be it enacted and ordained by the governor, council, and aſſembly, of this your majeſty's ſaid iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That the honourable Charles Price, eſquire, ſpeaker of the aſſembly, Charles Brooks, Charles Palmer, and Thomas Blair, eſquires, be, and they are hereby,

New truſtees appointed,

hereby, added and appointed truſtees for carrying into execution the ſaid herein-before mentioned act; and the ſaid truſtees, hereby added and appointed, ſhall have, and they are hereby veſted with, the like and equal powers and authorities, to all intents and purpoſes, as the other truſtees already appointed now have; any law, cuſtom, or uſage, to the contrary notwithſtanding.

with the same powers as the others.

II. And be it further enacted by the authority aforeſaid, That the ſaid John M'Leod, Thomas Brooks, Richard Lewing, James Prevoſt, Charles Price, Charles Brooks, Charles Palmer, and Thomas Blair, or any three of them, do and ſhall, and they are hereby directed and required, as ſoon as conveniently may be, to carry the ſaid herein before-mentioned act fully into execution, and to apply the money ariſing from the ſale of the ſaid piece or parcel of land, houſes and buildings thereon erected and built, ſo as aforeſaid veſted in them, in the purchaſe of a more convenient piece or parcel of land, houſe or houſes, and buildings, at or near Old-Harbour-Bay, in the ſaid pariſh of St. Dorothy, to be uſed and held as barracks for the reception of ſoldiers, or to and for ſuch other uſe and uſes as the juſtices and veſtry of the ſaid pariſh, or the major part of them, for the time being, ſhall direct and appoint.

Trustees to carry recited act into force without delay;

and to purchase other properties by the sale of those therein vested in them.

III. And be it further enacted by the authority aforeſaid, That ſuch piece or parcel of land, houſes, and buildings, with the appurtenances, ſo to be purchaſed by virtue of this act, ſhall be, and the ſame is and are hereby, veſted in the ſaid John M'Leod, Thomas Brooks, Richard Lewing, James Prevoſt, Charles Price, Charles Brooks, Charles Palmer, and Thomas Blair, and their heirs and aſſigns for ever; upon the ſpecial truſt and confidence, nevertheleſs, and to the uſe, intent, and purpoſe, that the ſaid John M'Leod, Thomas Brooks, Richard Lewing, James Prevoſt, Charles Price, Charles Brooks, Charles Palmer, and Thomas Blair, their heirs and aſſigns, ſhall hold the ſame for the uſe of the inhabitants of the ſaid pariſh; and that they, or any three of them, ſhall, from time to time, permit and ſuffer the juſtices and veſtry, or the major part of them, to appropriate ſuch land and buildings, ſo to be purchaſed as aforeſaid, or any part thereof, to ſuch uſes and purpoſes as they ſhall think proper; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Such new purchases vested in them;

for the use of the parish,

in manner the justices and vestry may appoint.

IV. And whereas there is now, in the hands of the churchwardens of the ſaid pariſh of St. Dorothy, a ſurpluſage, or ſum of money ariſing from the parochial taxes, laid and levied by the juſtices and veſtry of the ſaid pariſh of St. Dorothy, over and above ſuch ſums as were neceſſary for defraying the contingent charges of the ſaid pariſh: Be it therefore further enacted and ordained by the authority aforeſaid, That it ſhall and may be lawful to and for the juſtices and veſtry of the ſaid pariſh of St. Dorothy, or the major part of them, to apply ſuch ſurpluſage, or ſum of money ſo ariſen, in aid of the

Surplusage of the parochial fund to be applied in keeping in re-

pair premises on new purchases.

ſums already directed to be raiſed on the inhabitants of the ſaid pariſh for keeping the barracks of the ſaid pariſh in repair, in keeping in repair the houſes and buildings erected, or to be erected, on the lands herein and hereby directed to be purchaſed.

CAP. XIII.

EXPIRED. *An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.*—[21ſt December, 1771.]

CAP. XIV.

EXPIRED. *An act for the better order and government of the negroes belonging to the ſeveral negro-towns, and for preventing them from purchaſing of ſlaves; and for encouraging the ſaid negroes to go in purſuit of runaway ſlaves; and for other purpoſes therein mentioned.*—[21ſt December, 1771.]

CAP. XV.

REPEALED. *An act to repeal an act entitled, "An act for the more effectual preventing negroes and other ſlaves from deſerting from their owners, and departing from this iſland in a clandeſtine manner; and to puniſh ſuch perſons as ſhall be aiding, aſſiſting, or abetting, ſuch ſlaves in their eſcape;" and for the more effectual preventing negroes and other ſlaves from deſerting from their owners, and departing from this iſland in a clandeſtine manner; and to puniſh ſuch perſons as ſhall be aiding, aſſiſting, or abetting, ſuch ſlaves in their eſcape.*—[21ſt December, 1771.]

CAP. XVI.

EXPIRED. *An act to reſtrain the inhabitants of the pariſh of St. Thomas in the Eaſt from working any carriages of burthen, but with broad wheels, on certain roads in the ſaid pariſh.*—[21ſt December, 1771.]

CAP. XVII.

EXPIRED. *An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient; and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.*—[30th November, 1771.]

Anno regni Georgii tertii decimo tertio.

CAP. I.

EXPIRED. *An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes.*—[23d December, 1772.]

CAP.

CAP. II.

An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient; and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.—[23d December, 1772.] EXPIRED.

CAP. III.

An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.—[23d December, 1772.] EXPIRED.

CAP. IV.

An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting the officers and ſoldiers of his majeſty's regiments quartered in this iſland.—[23d December, 1772.] EXPIRED.

CAP. V.

An act for applying the ſurpluſage of the money that ſhall ariſe by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," to certain uſes.—[23d December, 1772.] EXPIRED.

CAP. VI.

An act for laying a duty on tonnage, and applying the ſame to the uſe of forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations.—[23d December, 1772.] EXPIRED.

CAP. VII.

An act for granting an additional ſalary to his honour John Dalling, eſquire, lieutenant-governor and commander in chief, during his adminiſtration.—[23d December, 1772.] EXPIRED.

CAP. VIII.

An act to explain, amend, and render more effectual, an act entitled, "An act to augment the ſalary of his excellency George Haldane, eſquire; and for providing certain lands and premiſes to be annexed to the government, for the uſe of the governor for the time being."—[23d December, 1772.] EXPIRED.

CAP. IX.

An act for reviving and continuing an act entitled, "An act for the better regulating, training, and diſciplining, the militia; and for enforcing and rendering more effectual an act entitled, 'An act for ſettling the militia."—[23d December, 1772.] EXPIRED.

CAP.

CAP. X.

EXPIRED. *An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.*—[23d December, 1772.]

CAP. XI.

An act to oblige the ſeveral collecting conſtables of the reſpective pariſhes of this iſland, in a ſummary manner, to pay over the public taxes into the hands of the receiver-general, or the receiver-general for the time being.

[23d December, 1772.]

Preamble. WHEREAS many inconveniencies have ariſen, and may ariſe, to the public of this iſland, from the neglect and delay of the ſeveral collecting conſtables, in not regularly collecting and paying over the public taxes into the hands of the receiver-general for the time being: For remedy whereof, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That, from and after the thirty-firſt day of December, in the preſent year of our Lord one thouſand ſeven hundred and ſeventy-two, all and every the collecting conſtable or conſtables of the ſeveral pariſhes of this iſland, to whom all and every the rolls for collecting the public taxes ſhall be delivered, ſhall, once in every two months, if thereunto required, during the time he or they ſhall continue collecting conſtable or conſtables, render a juſt and true account, upon oath, to the receiver-general, or the receiver-general for the time being, or his lawful deputy, of all ſum and ſums of money he or they ſhall have actually received on account of the rolls delivered to them for their reſpective pariſhes, and pay over the ſame into the hands of the receiver-general, or the receiver-general for the time being, or his lawful deputy.

Collecting conſtables to account with, and pay monies to, receiver-general every two months, if required.

II. And be it further enacted by the authority aforeſaid, That all and every the ſaid collecting conſtable or conſtables of the ſeveral pariſhes of this iſland ſhall be, and they are hereby made, amenable to the ſupreme court of judicature of this iſland, for any neglect in them, in the ſame manner as the provoſt-marſhal or his deputies are for neglect or non-execution of any writ or writs, with the execution whereof he or they are charged: And the judges of the ſaid ſupreme court, upon complaint made to them, upon oath, by the receiver-general, or the receiver-general for the time being, or his lawful deputy, againſt ſuch collecting conſtable or conſtables, for non-payment of ſuch ſum or ſums of money as he or they ſhall have actually received on account of any roll or rolls for collecting the public taxes, and not accounted for as aforeſaid, are hereby required and obliged to make an order

They are declared amenable to the ſupreme court;

the judges whereof, on complaint, are to make orders for defaulters to ſhew cauſe why attachments ſhould not iſſue.

order on all and every ſuch collecting conſtable or conſtables, againſt whom ſuch complaint ſhall be made, to ſhew cauſe, upon oath, why an attachment ſhould not iſſue againſt him or them for not paying over, into the hands of the receiver-general, or the receiver-general for the time being, or his lawful deputy, all ſum and ſums of money he or they ſhall have actually received on account of ſuch roll or rolls; and in caſe ſuch collecting conſtable or conſtables ſhall neglect or refuſe to ſhew ſuch cauſe, upon due proof of ſervice of ſuch order, the judges of the ſaid ſupreme court are hereby required and directed to iſſue an attachment againſt ſuch conſtable or conſtables ſo offending as aforeſaid, and him or them to commit to the gaol of St. Jago de la Vega, where he or they ſhall remain, without bail or mainpriſe, until the ſeveral ſums of money he or they ſhall have actually received on the ſeveral rolls be paid into the hands of the receiver-general, or the receiver-general for the time being, or his lawful deputy: And the ſaid receiver-general, or the receiver-general for the time being, is hereby empowered to take out a writ of *venditioni exponas* againſt the body and goods of the ſecurity or ſecurities of each and every collecting conſtable ſo offending as aforeſaid, in the ſame manner and form as if judgment had been obtained againſt him or them, and "execution levied" had been returned thereon; and ſhall mark, on ſuch writ or writs, levies for ſuch ſums as ſuch collecting conſtable or conſtables, ſo offending as aforeſaid, ſhall have actually received: And the ſaid receiver-general, or the receiver-general for the time being, or his lawful deputy, is hereby alſo empowered to take out the like writ or writs of *venditioni exponas* againſt the body and goods of each of the ſaid collecting conſtables who ſhall not have been taken by virtue of the attachment aforeſaid, after it ſhall have been lodged ſix days in the office of the provoſt-marſhal of this iſland, and affidavit made that endeavours had been uſed to execute the ſame, and *non inventus* returned; or againſt the goods only of ſuch who ſhall have been attached, in the ſame manner and form as herein before directed againſt their ſecurities.

If cauſe not ſhewn, attachments are to iſſue, and conſtables be imprisoned at St. Jago de la Vega till money be paid.

Receiver-general is to take out *venditioni's* againſt their ſecurities,

and againſt the perſons and properties of conſtables not taken,

or property only of thoſe attached.

III. And be it further enacted by the authority aforeſaid, That when the receiver-general, or the receiver-general for the time being, ſhall complain to the ſaid ſupreme court of judicature againſt any collecting conſtable or conſtables of the ſeveral pariſhes of this iſland, for neglecting or refuſing to do his or their duty, agreeable to the true intent and meaning of this act, and ſhall be put to any expence in proſecuting ſuch collecting conſtable or conſtables for ſuch neglect or refuſal, it ſhall and may be lawful for the ſaid ſupreme court of judicature to adjudge and award ſuch collecting conſtable or conſtables, againſt whom ſuch complaint ſhall be made, to pay to the receiver general, or the receiver-general for the time being, or his lawful deputy, all coſts out of purſe which he ſhall have been put to in proſecuting ſuch collecting conſtable or conſtables (to be taxed by one of the judges of the ſaid ſupreme court), and to compel payment of the ſame by attachment, writ of execution, or *venditioni exponas*, or by any other method the ſaid court ſhall think proper.

Collecting conſtables are to reimburſe receiver-general all expences of proſecution;

which grand court may enforce payment of, by attachment, execution, &c.

IV. And

If they neglect to account on oath,

IV. And be it further enacted by the authority aforesaid, That in case any collecting constable or constables, of the several parishes of this island, shall neglect or refuse to render a just and true account, upon oath, to the receiver-general, or the receiver-general for the time being, or his lawful deputy, in manner as herein before directed (which oath the receiver-general, or the receiver-general for the time being, or his lawful deputy, is hereby empowered and required to administer), or, in case such collecting constable or constables hath or have not received any money on account of the said rolls delivered to him or them, such collecting constable or constables are hereby required to make oath thereof before the receiver-general, or the receiver-general for the time being, or his lawful deputy; and such collecting constable or constables neglecting or refusing to render such account, or make such oath as aforesaid, shall, for every such offence, forfeit the sum of ten pounds; to be recovered and levied by distress and sale of the offender's goods and chattels, by warrant under the hands and seals of any two justices of the peace of such parish wherein such collecting constable or constables shall be appointed; and the same shall be paid into the hands of the receiver-general, or the receiver-general for the time being, to be by him applied towards defraying the contingent charges of the government of this island: And in case no goods and chattels of such collecting constable or constables, so offending as aforesaid, can be found sufficient to pay the said penalty, then, and in such case, such justices shall commit such collecting constable or constables to gaol, there to remain, without bail or mainprise, until he or they shall have paid such penalty.

or, where they have not received monies, to attest it,

they forfeit 10*l.* for each offence.

Recovery and application thereof.

In failure of distress, they are to be imprisoned till fine paid.

CAP. XII.

An act to explain and amend an act entitled, "An act for preventing the frauds, and regulating the abuses, in trade."

[23d December, 1772.]

2 Geo. I. *cap.* 6. Preamble.

WHEREAS an act entitled, *An act for preventing the frauds, and regulating the abuses, in trade*, passed in the year one thousand seven hundred and twenty-two, is, from experience, found ineffectual for the purposes intended: And whereas, there are at this time other abuses in trade, particularly in the importation of deal and other boards and scantling, from the continent of America, against which the herein before-recited law hath not provided a remedy: We, your majesty's most dutiful and loyal subjects, the assembly of this your island of Jamaica, humbly beseech your majesty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and assembly, and it is hereby enacted and ordained by the authority of the same, That all masters or commanders of vessels, merchants, supercargoes, or others, importing into this island any deal or other boards, planks, scantling, or ranging timber, from and after the first day of January, which will be in the year of our Lord one thousand seven hundred and seventy-three, shall, under the penalty of fifty pounds for every refusal or neglect, apply to a sworn measurer

Importers of timber to engage a sworn measurer,

under penalty of 50*l.*

meaſurer to attend at the landing thereof; who ſhall and is hereby required, within twelve hours after ſuch application, under the penalty of forty ſhillings, to attend and meaſure the ſame, and, by a ſcratch mark on each board, plank, piece of ſcantling, or ranging timber, ſo by him meaſured, expreſs the exact quantity therein contained, under the regulations herein after mentioned; that is to ſay, Every deal or other board or plank, that ſhall meaſure on the ſquare edge thereof one half inch, and leſs than three quarters of an inch, ſhall be deemed and allowed as of an half inch in thickneſs, and no more; every deal or other board or plank, that ſhall meaſure in thickneſs on the ſquare edge thereof three quarters of an inch, and leſs than one inch, ſhall be deemed and meaſured as three quarters of an inch and no more; every deal or other board or plank, that ſhall meaſure on the ſquare edge thereof one inch, and leſs than one inch and a quarter of an inch, ſhall be deemed and taken as an inch in thickneſs, and no more; and all deal or other boards, plank, and ſcantling or ranging timber, of greater thickneſs, ſhall be meaſured and marked at the ſame rate, regulation, and proportion, as herein before directed.

who is to attend at the unlading, and mark meaſurement thereon.

Meaſurements adjuſted.

II. And be it further enacted by the authority aforeſaid, That no perſon whatſoever ſhall be deemed and allowed to be a meaſurer, duly qualified for the purpoſes of this act, without firſt having been examined and appointed by the juſtices in ſeſſions, in the pariſh or precinct of this iſland in which ſuch perſon ſhall reſide: And the juſtices of the reſpective pariſhes of this iſland are hereby required, empowered, and directed, on any application for ſuch appointment, in open ſeſſions, to examine every perſon ſo applying; and, upon finding him properly qualified, to adminiſter an oath to every ſuch perſon for the faithful diſcharge and execution of the ſaid office, and ſhall grant him a certificate thereof: For which application and certificate the clerk of the peace ſhall receive a fee of ſix ſhillings and three pence, and no more.

No perſons allowed to be meaſurers but ſuch as have been examined.

Juſtices to examine them in open ſeſſions,

and ſwear them in.

Fee for certificate.

III. And be it further enacted by the authority aforeſaid, That any perſon who ſhall attempt to act as a public meaſurer, without having been firſt qualified as is herein before directed, ſhall forfeit the ſum of ten pounds for every offence.

Penalty of 10*l.* on acting without having qualified.

IV. And be it further enacted by the authority aforeſaid, That every perſon who ſhall act as a ſworn meaſurer, being duly qualified and appointed as herein before directed, ſhall take and receive, for every thouſand feet of lumber (ſuperficial meaſure) he ſhall actually meaſure and mark agreeable to the herein before-mentioned directions, the ſum of five ſhillings, and no more.

Pay for meaſuring *per* thouſand feet.

V. And be it enacted by the authority aforeſaid, That if any perſon who ſhall act as a ſworn meaſurer under the directions of this law, ſhall

Penalty for falſe marking boards, &c.

mark any board, plank, or piece of joiſt, ſcantling or other timber, for more than is really contained therein, he ſhall forfeit and pay, for every offence, the ſum of ten ſhillings; to be recovered, in a ſummary way, before any of his majeſty's juſtices of the peace, on the oath of one or more credible witneſs or witneſſes; one half of which forfeiture ſhall go to the perſon or perſons who ſhall ſue for the ſame, the other half to the churchwarden or churchwardens, for the uſe of the poor of the pariſh where ſuch offence ſhall be committed.

Recovery and application thereof.

VI. And whereas the ſecond clauſe in the ſaid herein-before-recited act hath been found greatly defective, and not to anſwer the purpoſes thereby intended: Be it enacted by the authority aforeſaid, That the ſaid clauſe, and every part, matter, and thing, therein contained be, and the ſame is hereby, repealed, annulled, and made void; any thing therein contained to the contrary notwithſtanding.

Clause 2 of recited act repealed.

VII. And be it further enacted by the authority aforeſaid, That, from and after the firſt day of January, which will be in the year of our Lord one thouſand ſeven hundred and ſeventy-four, no ſtaves or ſhingles ſhall be imported into this iſland of leſs than the following dimenſions; that is to ſay, Staves not leſs than forty-four inches in length and four inches in breadth, and ſhingles not leſs than twenty inches in length and five inches in breadth.

Dimensions of staves and shingles imported.

VIII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall, from and after the ſaid firſt day of January, which will be in the year of our Lord one thouſand ſeven hundred and ſeventy-four, import or expoſe to ſale, in this iſland, any ſtaves or ſhingles of leſs dimenſions than is herein before directed, he, ſhe, or they, ſhall forfeit and pay, for every [*all*] ſuch ſtaves ſo imported or expoſed to ſale contrary to the true intent and meaning of this act, at and after the rate of forty ſhillings *per* thouſand, and for all ſhingles ſo imported, at and after the rate of ten ſhillings *per* thouſand; to be recovered, in a ſummary way, before any two magiſtrates of the pariſh or precinct where the offence ſhall be committed; one half of which forfeiture ſhall go to the perſon or perſons who ſhall ſue for the ſame, and the other half to the churhwarden or churchwardens, for the uſe of the poor of ſuch pariſh.

Penalty on importing, or exposing to sale, staves or shingles under the above dimensions.

Recovery and application thereof.

CAP. XIII.

EXPIRED. *An act for repealing part of an act, paſſed in the year of our Lord one thouſand ſeven hundred and thirty-two, entitled, "An act for keeping a nightly watch in the town of Kingston, and for the prevention of damages that may ariſe by fire;" and for laying a tax on the tranſient traders of the ſaid town.*—[23d December, 1772.]

CAP. XIV.

EXPIRED. *An act for regulating the fees of the maſters of the high court of chancery of this iſland.*—[23d December, 1772.]

CAP.

CAP. XV.

An act to repeal part of a clause in an act entitled, "An act to repeal part of an act entitled, 'An act for rendering the several donations, which have been given and bequeathed to the use of the poor of the parish of Vere, in the said island, more useful; and for erecting and endowing a free-school in the said parish;' and for the better and more effectual carrying the said act into execution;" and for altering the day for electing five of the freeholders of the said parish of Vere, such as the freeholders of the said parish, or the major part of them who shall be present, shall nominate and appoint; and to appoint a day in each year for the choosing of such five freeholders; and for the qualification of such freeholders who shall vote at such election.

[23d December, 1772.]

WHEREAS, by the second clause of an act entitled, *An act to repeal part of an act entitled, "An act for rendering the several donations, which have been given and bequeathed to the use of the poor of the parish of Vere, in the said island, more useful; and for erecting and endowing a free-school in the said parish;" and for the better and more effectual carrying the said act into execution,* passed in the year of our Lord one thousand seven hundred and sixty-eight, it is, amongst other things, enacted, That five of the freeholders of the said parish, [*such as the freeholders of the said parish,*] or the major part of them who shall be present, shall annually, on the first Monday in July, elect, were thereby appointed trustees, with the other trustees in the said act named, for the direction and management of the free-school in the said parish of Vere, for the purposes in the said act set forth, is found to be very inconvenient to the freeholders of the said parish, and that it would be more convenient to have the day altered, for electing the said five freeholders to be trustees aforesaid, to the day on which the churchwardens, vestrymen, and waywardens, of the said parish are by law yearly chosen and elected: We, therefore, your majesty's most dutiful and loyal subjects, the assembly of this your majesty's island of Jamaica, humbly beseech your majesty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and assembly of this your majesty's island of Jamaica, and it is hereby enacted and ordained by the authority aforesaid, That so much and such part of the said above-recited clause, in the above-recited act mentioned, as relates to the day for choosing five freeholders of the said parish, such as the freeholders of the said parish, or the

9 Geo. III. cap. 6.

Recital of *part of clause 2 of the above act.*

Repeal of the part above recited.

the major part of them who ſhall be preſent, ſhall annually, on the firſt Monday in July, elect truſtees for the direction and appointment [*management*] of the free-ſchool in the ſaid pariſh of Vere, for the purpoſes in the ſaid act ſet forth, be, and the ſame is hereby, repealed, annulled, and declared void.

Day of electing the five freeholders as truſtees, altered to the firſt Wedneſday in January.

II. And be it enacted and ordained by the authority aforeſaid, That the freeholders of the ſaid pariſh of Vere, or the major part of them who ſhall be preſent, ſhall meet on the firſt Wedneſday in January next, and ſo to meet on every firſt Wedneſday in January in every year, being the day on which the churchwardens, veſtrymen, and waywardens, of the ſaid pariſh are by law appointed to be choſen, inſtead of the firſt Monday in July; and ſhall, on the ſaid firſt Wedneſday in January in every year, then and there elect five of the freeholders of the ſaid pariſh to be truſtees, with the other truſtees in the ſaid herein before-recited act that are particularly named and deſcribed, for the direction and management of the free-ſchool in the ſaid pariſh of Vere, for the purpoſes in the ſaid act ſet forth; any thing in the ſaid before-recited act, or any other law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

All other parts of ſaid law to remain in force.

III. And be it further enacted by the authority aforeſaid, That all and every other matter, clauſe, and thing, in the ſaid herein before in part recited act mentioned, not hereby expreſsly repealed or altered, ſhall be and continue in full force and virtue; any thing in this or in any other act or law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding.

When votes are objected to, voter muſt aſſert his qualification.

IV. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons who ſhall, at any election, offer to vote for any freeholder or freeholders ſo to be choſen a truſtee or truſtees under this act, and ſhall be objected to, as not having a ſufficient freehold in the ſaid pariſh, by any freeholder then and there preſent, ſuch perſon or perſons ſo offering himſelf to vote as aforeſaid ſhall, before he is allowed to vote, take the following oath, or, if a quaker, his ſolemn affirmation:

Form of the oath.

I, *A. B. do ſwear, that I am a freeholder, in my own or my wife's right, really and truly, in the pariſh of Vere; and that my ſaid freehold conſiſts of a meſſuage or tenement of the clear yearly value of ten pounds a-year, or a plantation opened, and on which there is a ſettlement of the like yearly value; or on* [of] *a pen with ſix head of cattle grazing thereon, of the like yearly value; or an annuity or yearly rent-charge iſſuing out of a plantation, pen-land, meſſuage, or tenement, ſituate in the ſaid pariſh of Vere, of the like yearly value. So help me God;*

which any magiſtrate,

which oath *(mutatis mutandis)* ſhall be adminiſtered by any magiſtrate of the ſaid pariſh who ſhall then and there be preſent, or, in the abſence of a magiſtrate,

magiſtrate, by any one of the freeholders who had voted at ſuch election; who are hereby authorized and empowered to adminiſter ſuch oath as aforeſaid: And in caſe any perſon or perſons, ſo voting at ſuch election aforeſaid, ſhall be found guilty of wilful and corrupt perjury under this act, all and every ſuch perſon and perſons ſo offending ſhall, for every ſuch offence, ſuffer ſuch pains and penalties as perſons who are found guilty of perjury in any court of record in this iſland; any thing in this or in any other act or law to the contrary thereof in anywiſe notwithſtanding.

or an accepted voter, may adminiſter.

Puniſhment for falſe ſwearing.

CAP. XVI.

An act for extending the credit of this iſland, and to encourage foreigners to lend money to the inhabitants thereof, under certain regulations.—[23d December, 1772.]

WHEREAS the cultivation and improvement of lands and eſtates in this iſland, and erecting of ſugar-works thereon, are attended with great expence; and the proprietors of ſuch lands and eſtates are ſometimes brought conſiderably in debt before the ſame can be perfected, and are obliged to borrow large ſums of money for thoſe purpoſes, on the credit of ſuch lands and eſtates: And whereas it would tend greatly to the improvement of ſuch lands and eſtates, and to the public benefit, if money could be borrowed, at a reaſonable rate of intereſt, from the ſubjects of foreign ſtates, for the purpoſes aforeſaid, but doubts have ariſen whether, as the law now ſtands, any ſecurity granted to a foreigner or alien, or to any perſon in truſt for him, can be made effectual againſt ſuch eſtates: In order to remove ſuch doubts, and to encourage ſuch foreigners or aliens to lend money on the ſecurity of ſuch eſtates, Be it therefore enacted by your majeſty's lieutenant-governor, council, and aſſembly, of this your iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That, from and after the paſſing of this act, it ſhall and may be lawful to and for all and every perſon or perſons, being foreigners or aliens, to lend money, at lawful intereſt, upon the ſecurity of any freehold or leaſehold eſtates in this iſland, and to hold the ſame as an effectual ſecurity for the money lent.

Preamble.

Landed ſecurity for loans allowed to be effectual to foreigners.

II. And be it enacted by the authority aforeſaid, That, immediately after and on forfeiture of any ſuch ſecurity made to ſuch foreigner or alien, and non-payment of the money lent or becoming due, upon any ſuch ſecurity, at the time therein ſtipulated and agreed upon, the legal eſtate upon which any ſuch mortgage ſhall have been granted ſhall, from thenceforth, become veſted in the preſident of his majeſty's council, the ſpeaker of the aſſembly, and the chief juſtice of this iſland, for the time being, upon ſuch truſts, and for ſuch uſes, intents, and purpoſes, as ſhall be expreſſed in the original

On forfeiture of ſecurities to foreigners, in whom eſtate to veſt in truſt.

original conveyances or ſecurities made to the foreigner or alien, for the money lent; and it ſhall and may be lawful to and for all and every ſuch foreigners or aliens, their heirs, executors, adminiſtrators, or aſſigns, to bring and proſecute, by themſelves or their lawful attornies reſpectively, his, her, or their action or actions, bill or bills, in any court of law or equity in this iſland, in the names of the truſtees before mentioned, for the recovery of the monies lent and becoming due upon ſuch ſecurities, by ſale or otherwiſe, as effectually as natural-born ſubjects may now do; and it ſhall and may be lawful for the ſaid truſtees, and they are hereby required, to allow their names to be uſed in bringing and proſecuting ſuch action or actions, bill or bills, for the purpoſes aforeſaid: Provided always, That no ſuch foreigner or alien ſhall, by any means whatever, be intitled to obtain, or enter into the actual poſſeſſion of, any ſuch lands or eſtates, or to foreclоſe the equity of redemption thereof.

Foreigners may proſecute ſuch ſecurities to a ſale,

in the names of the truſtees;

who are to allow them to be uſed.

No foreigner to enter into actual poſſeſſion, or foreclоſe.

III. And be it enacted by the authority aforeſaid, That this act ſhall be deemed, adjudged, and taken, to be a public act, and ſhall be judicially taken notice of as ſuch by all judges, juſtices, and other perſons whatſoever in this iſland, without ſpecially pleading the ſame.

Public act.

CAP. XVII.

EXPIRED. *An act for eſtabliſhing and declaring rules and articles of war.*—[23d December, 1772.]

CAP. XVIII.

EXPIRED. *An act to repeal two ſeveral acts of this iſland, one entitled, "An act for appointing commiſſioners for ordering and inſpecting the works in and about the forts, fortifications, and barracks of this iſland;" the other entitled, "An act to add commiſſioners to thoſe already appointed for carrying on the works in and about the forts, fortifications, and barracks of this iſland, and to thoſe already appointed for building, finiſhing, and repairing, the public edifice in St. Jago de la Vega;" and for appointing commiſſioners for forts, fortifications, and public buildings.*—[23d December, 1772.]

CAP. XIX.

An act for the more effectual preventing of excеſſive and deceitful gaming, by way of lottery, or by lots, tickets, numbers, or figures, cards, raffle, or dice.

[23d December, 1772.]

Preamble. 17 Geo. II. cap. 7. 20 Geo. II. cap. 9.

WHEREAS an act, paſſed in the year of our Lord one thouſand ſeven hundred and forty-four, entitled, *An act for the more effectual preventing of gaming, and ſuppreſſion of lotteries*, and alſo one other act, entitled, *An act for amending and perpetuating an act entitled,* "*An*

"*An act for the more effectual preventing of gaming, and ſuppreſſion of lotteries,*" have been found, by experience, not effectually to anſwer the good ends, intents, and purpoſes, in and by the ſaid acts deſigned; but that, contrary to the true intent and meaning of the ſaid acts, many have of late preſumed, and do daily preſume, to erect and ſet up lotteries, under the denomination of ſales of houſes, lands, plate, jewels, and other things; and alſo have preſumed to make, print, and publiſh, or cauſed to be made, printed, and publiſhed, propoſals or ſchemes for advancing ſmall ſums of money, amounting in the whole to large ſums, to be divided by the chances of prizes in ſuch lottery or lotteries; which practices are prejudicial to the public, and to the trade and credit of this iſland: In order, therefore, to put an end to ſo growing an evil, and to prevent the drawing ſuch unlawful lotteries, heretofore or hereafter to be ſet up, We your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's ſaid iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That if any perſon or perſons ſhall erect, ſet up, continue, or keep, any office or place, under the denomination of a ſale or ſales of houſes, lands, negroes, plate, jewels, goods, or other things, by way of lottery, or by lots, tickets, numbers, or figures, cards, raffle, or dice, or ſhall make, print, advertiſe, or publiſh, or cauſe to be made, printed, advertiſed, or publiſhed, propoſals or ſchemes for advancing ſmall ſums of money by ſeveral perſons, amounting in the whole to large ſums, to be divided among them by chances of the prizes in ſuch lottery or lotteries, or ſhall deliver out, or cauſe or procure to be delivered out, tickets to the perſons advancing ſuch ſums, to intitle them to a ſhare of the money ſo advanced, according to ſuch propoſals or ſchemes, or ſhall expoſe to ſale any houſes, land, negroes, plate, jewels, goods, or other things, by any game, method, or device whatſoever, depending upon or to be determined by any lot or drawing, whether it be out of a box or wheel, or by cards, raffle, or dice, or by any machine, engine or device of chance of any kind whatſoever, ſuch perſon or perſons, and every or either of them, upon being convicted thereof before any two or more juſtices of the peace for any pariſh or precinct, upon the oath or oaths of one or more credible witneſs or witneſſes (which oaths the ſaid juſtice or juſtices are hereby authorized, empowered, and required, to adminiſter) or upon the view of ſuch juſtice or juſtices, or on the confeſſion of the party or parties accuſed, ſhall forfeit and loſe the ſum of two hundred pounds (to be levied by diſtreſs and ſale of the offender's goods and chattels, by warrant under the hands and ſeals of two or more juſtices of the peace of ſuch pariſh or precinct where the offence ſhall be committed) and ſhall ſuffer impriſonment, not exceeding three months, without bail or mainpriſe, and until the ſaid fine ſhall be paid; which ſaid forfeitures, when recovered, after deducting the reaſonable charges of ſuch proſecution, ſhall go and be applied, one moiety

Penalty of 200*l.* on perſons making, or publiſhing propoſals for any kind of lottery,

as well as impriſonment.

Forfeitures to be half to the crown.

moiety to our ſovereign lord the king, his heirs and ſucceſſors; for and towards the ſupport of the government of this iſland, and the contingent charges thereof, and the other moiety to the informer, or him, her, or them, who ſhall ſue for the ſame: Provided always, and it is hereby enacted and declared, That in caſe any perſon or perſons ſhall be convicted on the view of two or more juſtices of the peace, then, and in ſuch caſe, the moiety of the fine and forfeiture, inflicted by this act on the party or parties offending, ſhall not go or belong to the juſtices upon whoſe view the party or parties were convicted, but to the poor of the pariſh where ſuch offence ſhall be committed; any thing herein before contained [*to the contrary*] thereof in anywiſe notwithſtanding.

and half to the informer;

unless where diſcovery made by juſtices,

when half to go to the poor.

II. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons who ſhall purchaſe any ticket or tickets, or ſhare of any ticket or tickets, or be adventurers, in any of the ſaid lottery or lotteries, ſale or ſales, as aforeſaid, and ſhall be thereof convicted in ſuch manner and form as in and by this act is before preſcribed, every ſuch perſon or perſons ſhall forfeit and loſe the ſum of twenty pounds; to be recovered as aforeſaid, and applied and diſpoſed of in manner as herein before firſt directed.

Penalty of 20*l.* on adventurers in lotteries.

III. And be it further enacted by the authority aforeſaid, That all and every ſuch ſale or ſales of houſes, lands, negroes, plate, jewels, goods, or other things, by any game at dice or raffle, lottery or lotteries, machine, engine, or other device whatſoever, depending upon or to be determined by chance or lot, ſhall and are hereby declared to, be void, to all intents and purpoſes whatſoever; and all ſuch houſes, lands, negroes, plate, jewels, goods, or other thing, ſet up and expoſed to ſale in manner and form aforeſaid, ſhall be forfeited to ſuch perſon or perſons who ſhall ſue for the ſame, by action, bill, plaint, or information, in the ſupreme court of judicature of this iſland, in which action, bill, plaint, or information, no eſſoin, injunction, proſecution, [*protection,*] or wager of law, ſhall be allowed, or *non vult ulterius proſequi* be entered.

Sales of houſes, &c. by any ſuch lotteries, to be void;

and the properties to go to the informer.

IV. Provided always, and it is hereby declared and enacted, That if any perſon or perſons ſhall think him, her, or themſelves, aggrieved by the judgment or determination of any two or more juſtices of the peace, upon any complaint of or for any of the offences in this act, ſuch perſon or perſons may appeal, from the ſaid judgment of the ſaid juſtices, to the next general quarter-ſeſſions of the peace for the pariſh or precinct where ſuch perſon or perſons was or were convicted; but the perſon or perſons ſo appealing ſhall, and he, ſhe, and they, are hereby directed to, give five days notice, to the proſecutor or proſecutors of ſuch perſon or perſons as ſhall ſo appeal, of ſuch his, her, or their intention of bringing and proſecuting ſuch appeal, and ſhall enter into a recogniſance, before ſome juſtice

Perſons convicted by the juſtices may appeal to the next general quarter-ſeſſions,

giving five days notice to their proſecutors,

and entering

tice of the peace for the pariſh or precinct wherein the conviction or judgment was made or given, with two ſufficient ſecurities, on condition, to try ſuch appeal at the next quarter-ſeſſions which ſhall be held in and for the pariſh and precinct wherein ſuch conviction or judgment was made or given, next and immediately after the bringing ſuch appeal: And every ſuch appeal and appeals ſhall, by the court, at the ſaid next general court of quarter-ſeſſions to which ſuch appeal and appeals is or are made, be then examined, and the matter then finally heard and determined, and not afterwards: And in caſe ſuch judgment, determination, or conviction, as aforeſaid, ſhall be then and there affirmed, the party appealing ſhall pay, unto the proſecutor or proſecutors, his, her, or their treble coſts, to be ſettled and aſcertained by the juſtices, or the major part of them, who ſat on the ſaid trial; to be levied, by warrant under the hands and ſeals of two or more of the ſaid juſtices, directed to the provoſt-marſhal-general or his lawful deputy, or to the conſtables, by diſtreſs, and ſale of the goods and chattels of the party appealing, if ſuch can be found, and, if no ſuch diſtreſs can be found, by impriſonment of the body of the ſaid party appealing, until ſuch treble coſts ſhall be paid and ſatisfied: Provided always, and be it further enacted by the authority aforeſaid, That no ſuch conviction made, or judgment given, as aforeſaid, by this act, ſhall be ſet aſide by the ſaid court of quarter-ſeſſions for want of form, in caſe the facts alledged in the ſaid conviction ſhall be proved to the ſatisfaction of the ſaid court; nor ſhall ſuch conviction or judgment be removed or removable by *certiorari*, or any other writ or proceſs whatſoever, into the ſupreme court of judicature of this iſland; but ſuch conviction made, or judgment given, ſhall be final and concluſive, to all intents and purpoſes whatſoever.

into recognisance to try such appeals;

which must not be postponed.

Apellant, being cast, to pay treble costs.

Recovery thereof.

If no assets, imprisonment till paid.

First judgment not to be set aside for want of form.

No *certiorari* to be allowed,

but judgment to be final.

V. And it is hereby enacted and declared by the authority aforeſaid, That if any perſon or perſons, who ſhall be convicted of erecting, ſetting up, maintaining, or keeping, any lottery or lotteries, or of expoſing to ſale any houſes, lands, negroes, plate, jewels, goods, or other things, by any lottery or lotteries, or other device whatſoever, or in either of them ſhall adventure, and ſhall not have ſufficient goods and chattels whereon to levy the penalties inflicted by this act, or ſhall not immediately pay the ſaid penalty, or give good and ſufficient ſecurity for the ſame, it ſhall and may be lawful for the ſaid juſtices before whom ſuch perſon ſhall be convicted, as aforeſaid, to commit ſuch perſon or perſons to the common gaol of the county where ſuch offence ſhall be committed, there to continue and remain, without bail or mainpriſe, for any time not exceeding three months.

Makers of, or adventurers in, lotteries, from whom penalties cannot be recovered, to be committed to gaol for three months.

VI. And be it alſo enacted, That if any juſtice of the peace ſhall neglect or refuſe to do what is required of him by this act, ſuch juſtice, ſo neglecting or refuſing, ſhall reſpectively forfeit and pay the ſum of ten pounds for each offence; to be recovered, in a ſummary manner, before any one juſtice of the peace for the pariſh where the offence was committed; one

Juſtices neglecting the duties prescribed by this act, to forfeit 10*l.*

moiety whereof to be paid to any perſon or perſons who ſhall ſue for the ſame, and the other moiety to the poor of the pariſh where ſuch offence ſhall be committed; ſuch proſecution being commenced within ſix months next after ſuch refuſal of ſuch juſtice or juſtices.

if proſecuted in ſix months.

VII. And be it further enacted by the authority aforeſaid, That if any action or ſuit ſhall be brought or commenced againſt any perſon or perſons, for any matter or thing done or to be done in purſuance of this act, then, and in ſuch caſe, every ſuch action or ſuit ſhall be brought or commenced within three calendar months next after the fact was committed, and not afterwards; and ſhall be laid or brought in the county where the cauſe of action ſhall ariſe, and not elſewhere: And the defendant or defendants, in ſuch action or ſuits, ſhall and may plead the general iſſue, and give this act and the ſpecial matter in evidence, at any trial to be had thereon, and that the ſame was done in purſuance of and by the authority of this act; and if the plantiff or plantiffs ſhall become nonſuited, or diſcontinue his, her, or their action or actions, ſuit or ſuits, or if, upon verdict or demurrer, judgment ſhall be given againſt the plaintiff or plaintiffs, the defendant or defendants ſhall and may recover treble coſts, and have ſuch remedy for the ſame as any defendant or defendants hath or have for coſts in any other caſes by law.

Limitation of actions.

General iſſue.

Treble coſts.

CAP. XX.

EXPIRED. *An act for explaining and amending the ſeveral highway laws now in force, and rendering the ſaid laws more effectual.*—[23d December, 1772.]

CAP. XXI.

An act for making free and rewarding a mulatto man ſlave named Will, belonging to the eſtate of William Jones, deceaſed, and ſaying to the honourable Archibald Sinclair and Richard Welch, eſquires, the repreſentatives of the ſaid William Jones, the value of the ſaid mulatto man.

[23d December, 1772.]

Preamble.

WHEREAS a horrid and barbarous murder was, on the thirty-firſt day of March, in the preſent year of our Lord one thouſand ſeven hundred and ſeventy-two, committed by a mulatto man ſlave named Sam, on the body of Andrew Roſs, then the overſeer on a pen called Jones's Pen, in the pariſh of St. Catherine: And whereas a mulatto man ſlave named Will, belonging to the eſtate of William Jones, deceaſed, was, as ſoon as the ſaid Andrew Roſs was miſſing, very active and diligent in making ſtrict ſearch and inquiry after the ſaid Andrew Roſs, and by his means it was diſcovered that the ſaid Andrew Roſs was cruelly murdered by the ſaid mulatto named Sam, for which offence the ſaid mulatto

man

man ſlave named Sam was tried and thereof convicted, and ſentenced to be burnt: In order, therefore, to encourage ſlaves to make the moſt early and ample diſcovery of any murders or other crimes that may hereafter be committed, and to reward the ſaid mulatto man ſlave named Will for his diligence and activity in bringing to light the aforeſaid murder, May it therefore pleaſe your moſt excellent majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That the ſaid mulatto man ſlave named Will be, immediately from and after the paſſing of this act, manumiſed and ſet free from all manner of ſervitude and ſlavery whatſoever; and that George Scott, eſquire, the receiver-general, or the receiver-general for the time being, do annually, on the firſt day of January, pay to the ſaid mulatto man named Will, the ſum of ten pounds during his life; and that the ſaid George Scott, or the receiver-general for the time being, do alſo pay to the honourable Archibald Sinclair and Richard Welch, eſquires, the legal repreſentatives of the ſaid William Jones, deceaſed, the ſum of one hundred pounds, in full ſatisfaction for the ſaid mulatto man named Will, out of any monies in the hands of the ſaid receiver-general, or the receiver-general for the time being, unappropriated.

Will manumitted.

10*l.* granted to him annually.

100*l.* to be paid for his freedom.

Anno regni Georgii tertii decimo quarto.

CAP. I.

An act for appointing Stephen Fuller, eſquire, agent in Great-Britain, to ſolicit the paſſing of laws, and for tranſacting in Great-Britain other public affairs of this iſland; and for empowering certain members of the council and aſſembly, during the intervals of aſſembly, from time to time, as occaſion ſhall be, to give inſtructions for ſuch his management.—[2d December, 1773.]

EXPIRED.

CAP. II.

An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.—[2d December, 1773.]

EXPIRED.

CAP. III.

An act for the further regulation of ſolicitors and attornies at law, practiſing in the ſeveral courts in this iſland.

[2d December, 1773.]

WHEREAS the ſeveral acts of this iſland, made for the regulation of ſolicitors and attornies practiſing in the ſeveral courts of law and equity of this iſland, have not been found ſufficient to prevent unſkilful perſons, and ſuch as have not ſerved a regular clerk-

Preamble.

ſhip with any ſworn ſolicitor or attorney, from being admitted; and many perſons do daily enter into articles of clerkſhip, and duly record the ſame, and, notwithſtanding ſuch articles, do not attend in any attorney's office as a clerk, but ſuch ſervice as is mentioned in ſuch articles is rendered entirely nominal; whereby many, who might be uſeful in the community in other ways, get admitted into a profeſſion of which they are totally ignorant, to the very great injury of perſons employing ſuch perſons: For prevention whereof, May it pleaſe your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That, from and immediately after the paſſing of this act, no perſon whatſoever (unleſs ſuch who are now admitted as attornies and ſolicitors of the ſupreme court of judicature of this iſland) ſhall be admitted or allowed to practiſe as an attorney, ſolicitor, or proctor, in the court of chancery, ſupreme court of judicature, court of ordinary, court of admiralty, or in any of the petit courts of common pleas, or courts of quarter-ſeſſions in this iſland, who hath not been admitted as an attorney, ſolicitor, proctor, or writer to the ſignet, either in the ſupreme court of judicature of this iſland, courts of king's bench, common pleas, chancery, exchequer, or ſome of the courts of England, Scotland, or Ireland, and who cannot produce, from the court wherein he was ſo admitted, a certificate, under the ſeal of the ſaid court, of ſuch his admiſſion.

No perſon, unleſs already admitted, to practiſe as an attorney, &c. in any court in this iſland, who cannot produce a certificate from home.

II. And be it further enacted by the authority aforeſaid, That, for the future, no attorney, ſolicitor, or proctor, in this iſland, ſhall receive or take into his office, as an articled clerk, any perſon or perſons whatſoever under the age of ſixteen years, and for a leſs time than five years, under the penalty of all articles entered into, contrary to the true intent and meaning of this act, being utterly void and of no effect.

No attorney to take, as an articled clerk, any perſon under age of ſixteen, or for a leſs time than five years.

III. And be it further enacted by the authority aforeſaid, That, for the future, every attorney, ſolicitor, or proctor, entering into articles with any perſon as a clerk, to the intent ſuch perſon may be hereafter admitted to practiſe in the ſeveral courts of this iſland, ſuch attorney, ſolicitor, or proctor, ſhall, within three months after the execution of the articles between them, procure the ſaid articles to be duly proved and recorded in the office of the clerk of the ſupreme court of judicature, under the penalty of ſuch articles being utterly void and of no effect.

Articles between attornies and clerks, to be recorded within three months.

IV. And be it further enacted by the authority aforeſaid, That, for the future, no perſon ſhall be admitted an attorney, ſolicitor, or proctor, until he hath been examined by the chief juſtice of this iſland for the time being, in open court, nor before the maſter with whom he ſerved his time as an articled clerk, or ſome other perſon, ſhall have made affidavit, in the ſupreme court of judicature, or before ſome commiſſioner to take affidavits in the

No perſon to be admitted an attorney, &c. until examined in open court, and his ſervice attested.

the ſupreme court, that ſuch perſon hath really and truly ſerved as a clerk in the office of ſuch attorney, ſolicitor, or proctor, for and during the time compriſed in his articles of clerkſhip, according to the beſt of his knowledge.

V. And be it further enacted by the authority aforeſaid, That no admitted attorney, ſolicitor, or proctor, in this iſland, ſhall ſuffer any perſon whatſoever, except his own clerks, to practiſe or ſolicit buſineſs, in any of the courts of this iſland, in his name, under the penalty of one hundred pounds, and being ſtruck off the liſt of attornies.

No attorney, &c. to lend his name, under penalty of 100*l.* and incapacitation.

VI. And be it further enacted by the authority aforeſaid, That no perſon whatſoever, except an attorney admitted in the ſupreme court of judicature, ſolicitor, or proctor, ſhall be admitted to practiſe in the ſeveral petit courts of common pleas, or courts of quarter-ſeſſions, in this iſland, under the penalty of one hundred pounds on every perſon not admitted in the ſupreme court, and preſuming to act as aforeſaid, and of two hundred pounds upon the cuſtos, chief judge, and aſſiſtant judges, of the ſaid courts, before whom ſuch perſon ſhall be ſuffered to practiſe.

None but admitted attornies to practise in the petty courts, under penalty of 100*l.* and 200*l.* upon the judge.

VII. And be it further enacted by the authority aforeſaid, That if any attorney, ſolicitor, or proctor, having entered into articles of clerkſhip with any perſon, purſuant to the directions of this act, ſhall happen to die before the expiration of ſuch term of years as is mentioned in ſuch articles of clerkſhip, ſuch clerks ſhall be intitled to the benefit of the term he hath actually ſerved with ſuch attorney, and ſhall be admitted an attorney at the expiration of the term in his articles: Provided, Such clerk ſhall procure himſelf, immediately upon the death of ſuch attorney, to be turned over to ſome other attorney, ſolicitor, or proctor, to ſerve him for the remainder of his term then to come and unexpired.

Attorney dying before the expiration of articles, clerk shall be intitled to the benefit of the term served,

if he is turned over.

VIII. And be it further enacted by the authority aforeſaid, That all articles of clerkſhip, now entered into between attornies, ſolicitors, proctors, and their clerks, the term or time of five years being unexpired, ſhall be, within three months, recorded in the office of the clerk of the ſupreme court of judicature of this iſland; and ſo much of the ſaid term or time of years, ſuch clerks have already really and *bonâ fide* ſerved, ſhall be allowed to them at the time of their admiſſion.

Articles already entered into (and the five years incomplete) to be recorded, and stand good.

IX. And be it further enacted by the authority aforeſaid, That all penalties in this act ſhall be recovered, in a ſummary manner, by any perſon whatſoever, in the ſupreme court of judicature, by motion in open court; and, when recovered, ſhall be paid to the receiver-general of this iſland, for and towards the ſupport of the contingent charges of the government of this iſland.

Penalties how recoverable and applicable.

CAP.

CAP. IV.

EXPIRED. *An act for the further regulation of the ſervice and execution of proceſs, and the returns thereof, and other purpoſes relating to the ſervice of jurors, and rendering the ſame a more equal duty.*—[2d December, 1773.]

CAP. V.

An act for explaining an act entitled, "An act for the further quieting poſſeſſions, and regulating re-ſurveys;" and for eſtabliſhing reputed boundaries.

[2d December, 1773.]

Preamble.

4 *Geo.* II. *cap.* 4.

WHEREAS, notwithſtanding the good and wholeſome proviſions made in and by an act of the governor, council, and aſſembly of this iſland, entitled, *An act for the further quieting poſſeſſions, and regulating re-ſurveys*, [and for eſtabliſhing reputed boundaries*], paſſed in or about the year of our Lord one thouſand ſeven hundred and thirty-one, many inconveniencies have, nevertheleſs, been occaſioned by different conſtructions, of the ſupreme court of judicature, of that part of the ſaid act whereby it is enacted to the tenor following; *viz.* That, from and after the firſt day of May, which ſhall be in the year of our Lord one thouſand ſeven hundred and thirty-two, all and every perſon and perſons who hold any lands, tenements, negroes, or hereditaments, by virtue of any deed, will, or conveyance whatſoever, or of any patent for which quit-rent hath been paid for twenty years at the leaſt, or from the date of ſuch patent, though the ſame, or any aſſignment thereof, may have been loſt; or that hold by virtue of any order, and have paid quit-rent for the time aforeſaid, and hath or have been in peaceable and quiet poſſeſſion of any lands, tenements, negroes, or other hereditaments, for and during the ſpace of ſeven years laſt paſt before the making of this act, or ſhall continue in ſuch poſſeſſion of the ſame for the ſpace of ſeven years from and after the ſaid firſt day of May, which ſhall be in the year of our Lord one thouſand ſeven hundred and thirty-two, or ſhall at any time hereafter be and continue in ſuch poſſeſſion for the ſpace of ſeven years from the firſt poſſeſſing of the ſame, either by themſelves, or thoſe under whom they claim, ſhall have and enjoy ſuch lands, tenements, negroes, or other hereditaments, to them and their heirs for ever, againſt his majeſty and his heirs, and all other perſons whatſoever: In order, therefore, to obviate all doubts of the conſtruction and meaning of the ſaid act, and that the ſaid act may effectually anſwer the good purpoſes for which it was intended, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted and declared, and be it therefore enacted and declared by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and

* *These words are in the record, but muſt have been inſerted by miſtake.*

Recital of *part of clauſe 1 of the above act.*

and it is hereby enacted and declared by the authority of the ſame, That the true intent and meaning of the herein before-recited part of the ſaid act is, and that the ſame ought to have been, ſo conſtrued and underſtood from the time the ſaid herein before-recited part of the ſaid act took effect, that all and every perſon and perſons who then held, or ſhould thereafter hold, any lands, tenements, negroes, or hereditaments, under any deed, will, or conveyance whatſoever, or under any patent for which quit-rent had been or ſhould be paid for twenty years at the leaſt from the date of ſuch patent, though the ſame, or any aſſignment thereof, had been or ſhould be loſt; or who held or ſhould hold under any order, and had paid or ſhould pay quit-rent for the time aforeſaid, and had been or ſhould be in the actual, peaceable, and quiet poſſeſſion and occupation of ſuch lands, tenements, negroes, or hereditaments, ſo held or to be held, for ſeven years from their firſt poſſeſſing the ſame, either by themſelves, or thoſe under whom they claim, and who by miſtake ſhould have fallen, cleared, improved by building, cultivated, or fenced, ſuch lands, whether belonging to his majeſty, or to any other perſon or perſons whatſoever; ſhould hold and enjoy the ſame againſt his majeſty, his heirs and ſucceſſors, and againſt all and every other perſon and perſons whomſoever; and the ſaid herein before-recited part of the ſaid act, in all trials to be hereafter had and held, ſhall be conſtrued, underſtood, and adjudged, according to the true intent and meaning of this act; any thing in the ſaid act to the contrary in anywiſe notwithſtanding.

Confirmation of the rights of perſons who have loſt their patents;

and of thoſe who have had quiet poſſeſſion of any lands, &c. for ſeven years.

This explanation to be adhered to in future trials.

II. And be it further enacted by the authority aforeſaid, That in all caſes where the lands of ſeveral proprietors bind or have bound upon each other, and a reputed boundary hath been or ſhall be acquieſced in and ſubmitted to by the ſeveral proprietors owning ſuch lands, or the perſons under whom ſuch proprietors claim, for the ſpace of ſeven years together, ſuch reputed boundary ſhall for ever be deemed and adjudged to be the true boundary between ſuch proprietors; and ſuch reputed boundary ſhall and may be given in evidence upon the general iſſue, in all trials to be had or held concerning lands, or the boundaries of the ſame; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding: Provided always, That nothing herein contained ſhall extend to preclude minors under the age of twenty-one years, women under coverture, or perſons of unſound memory, from conteſting and diſputing at law the truth of any boundaries ſet up or eſtabliſhed during the minority, coverture, or inſanity of the ſaid reſpective perſons; provided ſuch perſons ſhall conteſt and diſpute the ſame within five years after ſuch perſon under age ſhall attain the age of twenty-one years, or woman under coverture ſhall become ſole, or perſon of unſound memory ſhall become *compos mentis*: Provided alſo, That nothing in this act contained ſhall extend, or be conſtrued to extend, to any judgment or judgments given, or to any action or ſuit commenced, prior to the paſſing of this act; but that ſuch judgment and judgments, action and actions,

Boundaries acquieſced in for ſeven years, by proprietors, binding on each other, deemed the true boundaries.

Exception for incapable perſons,

if ſuits brought in a limited time.

Judgments paſſed, or actions depending, not affected hereby.

tions, ſhall be and remain unimpeached, and ſtand in full force and virtue, as if this act had not paſſed; any thing to the contrary thereof in anywiſe notwithſtanding.

CAP. VI.

An act to enable the juſtices and veſtrymen of the ſeveral pariſhes in this iſland, remote from the county gaols, to raiſe money by a parochial tax, to be applied in building or purchaſing a gaol or gaols, for the confinement of offenders, within their reſpective diſtricts.—[2d December, 1773.]

Preamble.

WHEREAS great and many inconveniencies have ariſen to the inhabitants of the ſeveral pariſhes in this iſland, remote from the county gaols, by the want of gaols or places of confinement for offenders within their reſpective diſtricts: For remedy thereof, We, your majeſty's moſt dutiful ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly of this iſland, and it is hereby enacted by the authority of the ſame, That

Juſtices and veſtries, in pariſhes remote from the county goals, empowered to raiſe monies for building or purchaſing a gaol or gaols.

the juſtices and veſtrymen in the ſeveral and reſpective pariſhes in this iſland, remote from the county gaols, be empowered, and they are hereby authorized and empowered, to lay a tax in their reſpective pariſhes, in the ſame manner as the parochial taxes are uſually laid, for raiſing a ſum, not exceeding five hundred pounds where only one gaol is neceſſary, and not exceeding the ſum of one thouſand pounds where two gaols ſhall be found neceſſary; which ſum or ſums ſhall, by the ſaid juſtices and veſtrymen, be applied to and for the purchaſing land, and erecting and building ſuch gaol or gaols, or purchaſing a houſe or houſes already built, in the moſt convenient part or parts of their ſeveral pariſhes or precincts, as to them ſhall appear fit and proper for a gaol or gaols, or place or places of confinement for offenders, within their reſpective diſtricts; which ſaid gaol or gaols, houſe or houſes, ſo to be erected and built, or purchaſed already built, be, and they are hereby, veſted in the juſtices and veſtrymen of each pariſh, who are hereby empowered to build or purchaſe, and alſo to keep in repair, ſuch gaol or gaols reſpectively, and to their ſucceſſors, for the confinement of offenders in their reſpective diſtricts aforeſaid; and the ſaid reſpective juſtices and veſtrymen, and their ſucceſſors, are hereby made a body politic and corporate for that purpoſe, and no other.

Such gaols veſted in them;

for which purpoſe they are incorporated.

II. And be it further enacted by the authority aforeſaid, That the clerk of the veſtry in the ſeveral pariſhes within this iſland, the juſtices and veſtry whereof ſhall lay aſſeſſments by virtue of this act, ſhall, within twelve days after the ſeveral aſſeſſments made as aforeſaid, make out a fair copy or roll of ſuch aſſeſſment, and annex thereto a warrant, under the hand

Clerk of the veſtries to make out a roll of aſſeſſment, and

and

and ſeal of one or more juſtice [*or juſtices*] of the peace of ſuch pariſh, and deliver the ſame to the collecting conſtable or conſtables of ſuch pariſh, to enable him or them to collect and gather in the ſeveral ſums aſſeſſed therein; which ſaid fair copies or rolls, and ſuch warrant as aforeſaid, the juſtices of each pariſh, or any one of them, are and is hereby empowered and required to ſign; and all ſuch conſtable or conſtables, to whom ſuch roll and warrant ſhall be delivered, is and are hereby empowered and required to collect and gather in, from every perſon named therein, all ſuch ſum and ſums of money as they ſhall ſeverally ſtand charged with, and pay the ſame into the hands of the churchwarden or churchwardens of the pariſh for the time being, within ſixty days after ſuch roll or warrant has been delivered to him or them; to be by the ſaid churchwarden or churchwardens diſburſed, under the orders and directions of the juſtices and veſtry, for the purpoſes of this act as aforeſaid: And the ſaid conſtables are hereby empowered to retain to themſelves one ſhilling in the pound for all monies they ſhall ſo collect, and no more: And, to remove all excuſes from the ſaid conſtable or conſtables for not collecting the ſame, they and each of them are hereby empowered to diſtrain on all and every the goods, chattels, and ſlaves, of ſuch perſon or perſons as ſhall refuſe to pay ſuch aſſeſſment as aforeſaid (Provided nevertheleſs, That it ſhall not be lawful to diſtrain on any ſlave, where any other diſtreſs can or may be had), and the diſtreſs and diſtreſſes then and there found to ſell at public outcry, returning the overplus, if any, to the owner thereof, after the deduction of one ſhilling in the pound out of ſuch ſale, for the trouble of ſuch conſtable or conſtables: Be it nevertheleſs provided, That ſuch ſale of goods, chattels, or ſlaves, by public outcry, ſhall not in anywiſe be deemed lawful, unleſs ſuch conſtable ſhall give five days notice of ſuch intended ſale, by fixing up an account of the goods and chattels, or ſlaves, ſo diſtrained, and alſo the hour of the intended ſale, in a paper to be fixed up in the moſt public and noted place in the pariſh.

deliver it to the collecting conſtable,

with a warrant ſigned by a juſtice.

Conſtables to collect money,

and pay it to the churchwardens,

for the purpoſes of this act.

Conſtables to retain poundage.

Conſtables empowered to diſtrain;

but not on ſlaves, if other diſtreſs can be had.

Five days notice to be given of ſales.

III. And be it further enacted by the authority aforeſaid, That the churchwarden or churchwardens, who ſhall receive any monies by virtue of this act, ſhall account for the ſame to the juſtices and veſtry, or the major part of them, in the ſame manner as is by law directed for any other parochial taxes they ſhall or may have received.

Churchwardens to account with the juſtices and veſtry.

IV. And be it further enacted by the authority aforeſaid, That the churchwarden or churchwardens of the ſeveral and reſpective pariſhes in this iſland, where the juſtices and veſtrymen ſhall lay a tax by virtue of this law, ſhall, and they are hereby required to, take ſufficient ſecurity by bond, from the ſeveral collecting conſtable or conſtables, appointed to raiſe and levy the ſaid tax, before a roll or rolls ſhall be delivered to him or them to collect the ſame, under the penalty of one thouſand pounds for every neglect.

Conſtables to give ſecurity before receiving the rolls.

CAP. VII.

EXPIRED. *An act for the relief and better regulation of the poor; and to oblige maſters of ſhips and other veſſels to indemniſy the ſeveral pariſhes of this iſland againſt any charges and expences for ſupporting and curing their ſick, maimed, infirm, or diſabled ſeamen.*—[2d December, 1773.]

CAP. VIII.

EXPIRED. *An act for eſtabliſhing and declaring rules and articles of war.*—[11th December, 1773.]

CAP. IX.

EXPIRED. *An act to prevent the ſmuggling foreign produce into this iſland.*—[11th December, 1773.]

CAP. X.

REPEALED. *An act for raiſing a tax on the pariſh of Hanover, for erecting and eſtabliſhing a free-ſchool in the ſaid pariſh.*—[11th December, 1773.]

CAP. XI.

An act for providing certain lands and premiſes, to be annexed to the government, for the uſe of the commander in chief of his majeſty's ſhips of war on this ſtation.

[15th December, 1773.]

Preamble. WHEREAS his majeſty has been graciouſly pleaſed, from time to time, to have upon this ſtation ſeveral of his ſhips of war, for the ſafety and protection of this iſland, and the inhabitants and trade thereof: And whereas it may be abſolutely neceſſary for the admiral, or commander in chief of his majeſty's ſhips of war ſtationed here, to be on ſhore for the benefit of his health, and for other purpoſes: And whereas his majeſty's moſt dutiful and loyal ſubjects of this iſland, being willing and deſirous, as far as in their power, to contribute to ſo good an end, and that a pen, with the neceſſary buildings, ſhould be purchaſed near the place where ſuch ſhips are generally ſtationed, to be veſted in his majeſty, for the uſe of his admiral, or commander in chief of the ſhips of war on this ſtation: And whereas a pen and pen-land, with the erections and buildings thereon erected and built, ſituate, lying, and being, in the pariſh of St. Andrew, in the ſaid iſland (which pen, pen-land, erections, and buildings, were lately in the poſſeſſion and occupation of admiral Keppell, ſir William Burnaby, and admiral Parry, when they reſpectively commanded on this ſtation), are the moſt conveniently ſituated for the purpoſes aforeſaid: We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this iſland, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, and it is hereby enacted by the authority of the ſame, That,

That, by and out of the monies arifing or to ariſe by virtue of any of the money-bills that have already paſſed, or may be paſſed, this ſeſſion of aſſembly, a ſum, not exceeding two thouſand five hundred pounds, ſhall be paid, by George Scott, eſquire, receiver-general, or the receiver-general for the time being, unto ſir Charles Price, baronet, ſpeaker of the aſſembly, Thomas French, eſquire, *cuſtos rotulorum* of the town of Kingſton, Jaſper Hall, Simon Taylor, and Malcolm Laing, eſquires, who are hereby appointed commiſſioners for the purpoſes in this act mentioned: And the ſaid commiſſioners, or any three of them, ſhall lay out and employ, as ſoon as conveniently may be, ſo much of the ſaid money, in the purchaſe of the ſaid pen, pen-lands, erections, and buildings, ſituate, lying, and being, in the pariſh of St. Andrew aforeſaid (which was in the poſſeſſion and occupation of admiral Keppell, ſir William Burnaby, and admiral Parry, when they reſpectively commanded your majeſty's ſhips of war on this ſtation), as the ſame can be purchaſed for; and the ſaid commiſſioners, or any three of them, ſhall be, and they are hereby, fully authorized and empowered to treat and agree with the owner or owners, proprietor or proprietors, of the ſaid pen, pen-lands, and buildings, for the purchaſe thereof, upon ſuch terms, and upon ſuch conſiderations, as to them ſhall ſeem reaſonable, not exceeding the ſaid ſum of two thouſand five hundred pounds: Which ſaid pen, pen-lands, erections, and buildings, with the appurtenances, ſhall, from the time of ſuch purchaſe made, be veſted in your majeſty, your heirs and ſucceſſors, for the uſe of your admiral, or commander in chief of your majeſty's ſhips of war on this ſtation, for the time being, during his continuance upon this ſtation.

A ſum, not exceeding 2500*l.* to be paid by the receiver-general to commiſſioners hereinnamed;

who are to lay out the ſame in the purchaſe of a certain pen, pen-land, &c.

which are to be veſted in the crown, for the uſe of the naval commander.

CAP. XII.

An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's fiftieth and ſixtieth regiments of foot quartered in this iſland.—[22d December, 1773.]

EXPIRED.

CAP. XIII.

An act to enable the juſtices and veſtry of the ſeveral pariſhes in this iſland, where there are no churches, parſonage-houſes, public burial-grounds, or bridges, to lay a tax in their reſpective pariſhes, for purchaſing lands ſufficient for erecting a church, a parſonage-houſe, for a burial-ground, and for building bridges, in ſuch pariſhes.

[22d December, 1773.]

WHEREAS it is fit and neceſſary, in every Chriſtian country, that there ſhould be a ſufficient number of churches erected and built for the worſhip of God, according to the rites and ceremonies of our holy religion: And whereas there are many pariſhes in this

Preamble.

iſland without any church or burial-ground, or reſidence for the miniſter of ſuch pariſh, and no law ſufficiently empowering the juſtices and veſtry of ſuch pariſhes for the building the ſame: And whereas it may be neceſſary, in ſome pariſhes, that bridges ſhould be built over rivers, to enable perſons to attend divine ſervice: May it therefore please your moſt excellent majeſty that it may be enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That, from and after the paſſing of this act, it ſhall and may be lawful to and for the juſtices and veſtrymen, in ſuch of the pariſhes of this iſland wherein there are no churches, parſonage-houſes, or public burial-grounds, or bridges to enable the inhabitants to attend divine ſervice, to lay a tax in their reſpective pariſhes, in the ſame manner as the parochial taxes are uſually laid, for raiſing a ſum, not exceeding five thouſand pounds in each pariſh, to be by them applied towards purchaſing of land ſufficient for erecting a church, for a burial-ground and parſonage-houſe, and erecting bridges for the purpoſes aforeſaid, in ſuch pariſh, and from time to time, for the repairing and keeping in repair ſuch church, parſonage-houſe, and bridges.

Juſtices and veſtry, in pariſhes where churches, parſonage-houſes, cemeteries, or bridges, are wanting, may raiſe 5000*l.* in each, to obtain them,

and keep them in repair.

II. And whereas ſeveral runs of land, in certain pariſhes of this iſland, have, from time to time, been granted by private perſons or by patents, and veſted in truſtees for the uſe of the rectors of ſuch pariſhes for the time being; but, by reaſon of the death or abſence of ſuch truſtees, ſuch lands have lain neglected, or been occupied by other perſons, to the great loſs and diſcouragement of the ſeveral miniſters for whoſe benefit the ſame were intended, and who have a juſt right to the uſe and occupation thereof: Be it therefore enacted by the authority aforeſaid, That the juſtices and veſtry, of each pariſh where ſuch lands have been granted, ſhall, within ſix months after paſſing of this act, upon application of the rector of ſuch pariſh for the time being, at the expence of ſuch pariſh, cauſe the lines of ſuch lands to be run out, and the boundaries thereof aſcertained, and, in caſes of treſpaſs, proceed at law for the recovery thereof in the moſt ſpeedy and effectual manner.

Juſtices, &c. ſhall, on application, have glebe-lands aſcertained, at expence of the pariſh.

III. And be it further enacted by the authority aforeſaid, That, when and as often as any taxes ſhall be laid in any of the pariſhes of this iſland for the purpoſes aforeſaid, a roll of ſuch taxes ſhall be delivered into the hands of the collecting conſtables of ſuch pariſh, with a warrant under the ſame, ſigned by any two juſtices of ſuch pariſh, empowering them to levy the ſaid taxes, and, upon refuſal, to diſtrain, and ſell ſuch diſtreſs at public outcry, in the ſame manner as other diſtreſſes are taken and ſold for any other parochial tax; any thing in this or any law to the contrary in anywiſe notwithſtanding.

How taxes for the purposes of this act to be collected.

IV. And

IV. And be it further enacted by the authority aforeſaid, That the *cuſtos rotulorum*, the repreſentatives in aſſembly, the churchwardens and the rector of the ſaid pariſh, for the time being, or any three of them, be, and they are hereby, nominated and appointed commiſſioners for carrying this act into execution. Commissioners appointed to enforce this act.

CAP. XIV.

An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.—[24th December, 1773.] EXPIRED.

CAP. XV.

An act to repeal an act entitled, "An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors, and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and alſo one other act, entitled, "An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, 'An act for the better order and government of ſlaves;' and the other entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and alſo one other act, entitled, "An act to repeal part of an act entitled, 'An act for the better order and government of ſlaves;' and alſo of one other act, entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;' and alſo part of one other act entitled, 'An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, 'An act for the better order and government of ſlaves,' and the other entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;' [and for the more effectual preventing the inveigling, hiding, concealing, or employing, the ſlaves of others; and for rendering the puniſhment of ſuch offenders more certain and effectual;"] *and alſo part of an act entitled, "An act for the better order and government of ſlaves;" and to prevent the hiding, concealing, inveigling, detaining, knowingly harbouring, or employing, the ſlaves of others; and for the preventing the tranſportation of ſlaves by mortgagers and tenants for life and years; and for regulating abuſes committed by ſlaves.*—[24th December, 1773.] EXPIRED.

CAP.

CAP. XVI.

REPEALED. *An act to prevent the fraudulent paſſing or paying away bonds, promiſſory notes, or bills of exchange, or aſſigning judgments obtained on them, or any other judgments at law, without giving due credit for all monies paid on account of ſuch bonds, notes, bills of exchange, or judgments; and to oblige all aſſignees of judgments to record them in the office of the clerk of the ſupreme court.*—[24th December, 1773.]

CAP. XVII.

An act to regulate the iſſuing of writs of certiorari *out of the ſupreme court of judicature, for the removal of proceedings before juſtices of the peace, under certain reſtrictions and regulations.*—[24th December, 1773.]

Preamble. WHEREAS divers perſons have frequently made and committed forcible entries and detainers on lands, plantations, pens, houſes, and buildings, under colour and pretence of right, either to the freehold itſelf, or elſe of ſome claim or demand which ſuch perſon or perſons may have, or pretended to have or claim, under colour and [*of*] right to or on the ſaid premiſſes, and have thereby diſpoſſeſſed the proprietor, or other perſon or perſons who was or were in poſſeſſion of the ſame, and, under colour and pretence of ſuch right, have alſo continued in a forcible poſſeſſion of ſuch lands, plantations, pens, houſes, and buildings, and detained and kept the ſame from the proprietor, or perſons who had been in the quiet and peaceable poſſeſſion thereof: And whereas, upon complaint made to any juſtice of the peace, by the party or parties injured or diſpoſſeſſed of his or their ſaid poſſeſſion, in the ſaid pariſh where ſuch offence hath been committed, he iſſues his warrant to ſummon a jury to view ſuch force and forcible detainer, in order to reſtore the party or parties ſo diſpoſſeſſed of the poſſeſſion of his or their ſaid lands, plantations, pens, houſes, and buildings, according to law: And whereas ſome doubts have ariſen, touching the power of ſuch juſtice or juſtices in proceeding to remove ſuch force, after being ſerved with his majeſty's writ of *certiorari*: To remove which doubts, and in order that complete juſtice may be done to all parties, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly, of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted and ordained by the lieutenant-governor, council, and aſſembly, of this your majeſty's ſaid iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That, in caſe any writ or writs of *certiorari* ſhall hereafter be granted or iſſued (except the ſame be granted or iſſued during the ſitting of the ſupreme court, and be made returnable forthwith), before the juſtice and juſtices ſhall have finally completed and finiſhed all proceedings which ſhall or may be had before him or them upon any com-

Juſtices to proceed, in caſes of forcible entry and detainer, notwithſtanding *certiorari* iſſued;

plaint

plaint being made to him or them relative to any forcible entries and detainers, or forcible detainer, it ſhall and may be lawful to and for any ſuch juſtice or juſtices, and he is hereby directed and required, notwithſtanding ſuch writ of *certiorari*, to proceed on ſuch complaint, and to complete and finiſh all the proceedings relative thereto, and to reſtore the party or parties ouſted to his poſſeſſion, where he, ſhe, or they, ſhall be intitled thereto; and ſhall then return all proceedings had before him relative thereto, according to the exigency of the ſaid writ of *certiorari*; any thing in this or any other act, law, cuſtom or uſage thereof, to the contrary in anywiſe notwithſtanding.

returning proceedings as required by the writ.

II. And whereas great inconveniencies have ariſen, and may ariſe, through the inaccuracy of drawing up the proceedings upon complaint made before the juſtice or juſtices of the peace, relative to forcible entries and detainers, or forcible detainers according to law; by means whereof, many litigious and vexatious perſons have been encouraged to proſecute writs of *certiorari*, to remove ſuch the ſaid proceedings into the ſupreme court of judicature, where, upon inſpection into the ſaid proceedings, the ſaid ſupreme court hath quaſhed and ſet aſide the ſame, through irregularity and want of form only; whereby the party or parties aggrieved have ſuffered great hardſhips and inconveniencies, as well as being put to great expences and charges in defending ſuch proceedings: In order, therefore, to prevent the like inconveniencies for the future, Be it further enacted by the authority aforeſaid, That no proceedings had before any juſtice of the peace of any pariſh in this iſland, relative to any forcible entry or forcible detainer, ſhall be ſet aſide by the ſupreme court of judicature, or courts of aſſize, for want of form, in caſe the facts alledged in ſuch proceedings ſhall be proved to the ſatisfaction of the ſaid court.

Such proceedings not to be quashed for want of form.

III. And be it further enacted by the authority aforeſaid, That in caſe the perſon or perſons aggrieved ſhall, after reſtitution, bring any action or actions againſt any perſon or perſons for damages ſuſtained by reaſon of ſuch unjuſt force and detention, or either of them, as well in reſpect to his, her, or their lands, tenements, and hereditaments, as to the produce, negro or other ſlaves, ſtock, houſehold goods, furniture, and plantation utenſils, upon or belonging to the premiſes, [*and*] ſhall recover damages thereon, it ſhall and may be lawful for the juſtices of the ſupreme court, or courts of aſſize where ſuch recovery ſhall be had, to give judgment for double the damages aſſeſſed by the jury, over and above coſts of ſuit.

Judges may award double the damages assessed by the jury, besides costs of suit.

CAP.

CAP. XVIII.

An act against the forging and counterfeiting of foreign coins made current in this island, and such foreign coins as are now, or shall hereafter be, taken and received, by general consent, in payment in this island; and against clipping, diminishing, and impairing, of the same; and for preventing the bringing-in of counterfeit or forged coins of foreign realms, made current, or now or hereafter taken or to be taken and received in payment, by general consent, in this island; and for preventing the uttering or passing of such false and counterfeit coin; and also for ascertaining the weight and value of coins herein mentioned.

[24th December, 1773.]

Preamble.

WHEREAS, for some time past, a most wicked and pernicous practice hath been carried on by many of his majesty's subjects, and others trading from the American colonies and other parts, by introducing into this island base and counterfeit coins, resembling and like to the Spanish and other gold coins made current in this island, or which have heretofore been taken and received by general consent, and uttering the same to divers of his majesty's subjects in this island, to the great deceit and prejudice of his majesty and them; such ill-disposed persons having conceived and understood that there was not, nor yet is, any sufficient law or statute made or provided for the condign punishment of the offenders in that behalf: And whereas there are at this time considerable quantities of Spanish gold, and other gold coins, passing current in this island, and taken and received here; which gold coins have been diminished and reduced much below their original weights and value, by clipping and other fraudulent practices: And whereas evil-disposed persons, for wicked lucre and gain-sake, thinking themselves loose from the penalty of any laws, may hereafter continue such fraudulent practices; as the law entitled, *An act ascertaining the value of foreign coins, and establishing interest*, passed by the governor, council, and assembly, in the year one thousand six hundred and eighty-one, hath been found insufficient for the purposes aforesaid: For remedy whereof, and to prevent practices so prejudicial and destructive to the trade and credit of this island, Be it enacted by the lieutenant-governor, council, and assembly, and it is hereby enacted and ordained by the authority of the same, That whosoever shall hereafter, by any way or means, coin, falsify, falsely forge or counterfeit, impair, diminish, scale, wash, clip, file, or lighten, any of the money or coins of foreign realms, which are made current by any act of this island, or by any law or statute of England or Great-

13 Car. II. cap. 19.

Persons who counterfeit or impair current coin to suffer as felons.

Great-Britain, or ſhall at any time hereafter be current in this iſland, or generally by conſent taken and received as ſuch, and his or their aiders and abettors in that behalf, being thereof convicted, ſhall be deemed guilty of felony, and ſuffer death as a felon, without benefit of clergy.

Perſons buying, ſelling, or poſſeſſing, any clippings or filings, to forfeit them and 500*l.* be branded in the cheek, and impriſoned till fine paid.

II. And be it further enacted by the authority aforeſaid, That if any perſon whatſoever ſhall buy or ſell, or knowingly have in his or her cuſtody or poſſeſſion, any clippings or filings of the current coin or money of this iſland, he, ſhe, or they ſhall, for every ſuch offence, forfeit the ſaid clippings or filings ſo found in his, her, or their poſſeſſion, and alſo the ſum of five hundred pounds (one moiety thereof to his majeſty, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof, and the other moiety to the informer, or him or them who ſhall ſue for the ſame; to be recovered, with coſts of ſuit, by action of debt, bill, plaint, or information, wherein no eſſoin, protection, or wager of law, or *non vult ulterius proſequi*, ſhall be allowed), and alſo be branded on the right cheek with a hot iron with the letter R, and ſhall ſuffer impriſonment, without bail or mainpriſe, until ſuch fine is paid.

Magiſtrates may enter into ſuſpected places, in ſearch of utenſils, counterfeit coin, and filings.

If interrupted, they, with a conſtable, may break open doors, cabinets, &c.

Such articles to be ſeized, and poſſeſſor committed to gaol.

III. And, for the better diſcovery of offenders in the premiſes, be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any one or more of his majeſty's juſtices of the peace, within any town or pariſh of this iſland, to enter into the houſe, room, workſhop, or any other place, of any perſon or perſons who ſhall be ſuſpected to be guilty of any of the crimes in this act mentioned, and to ſearch for all tools and utenſils uſed in counterfeiting the coins made current in this iſland, and for all counterfeit coin, clippings and filings of the current coin, or money, of this iſland: And in caſe the occupier or occupiers of ſuch houſe, room, workſhop, or place, ſhall refuſe to permit ſuch juſtice or juſtices to make ſuch ſearch, as aforeſaid, it ſhall and may be lawful to and for ſuch juſtice or juſtices, with the aſſiſtance of any conſtable or conſtables, to break open any door, box, trunk, cheſt, cupboard, or cabinet, in order to ſearch for and diſcover ſuch tools, utenſils, counterfeit coin, clippings or filings; and in caſe any ſuch tools, utenſils, counterfeit coin, clippings or filings, ſhall be found, the perſon ſo finding the ſame is hereby required to ſeize, as well all ſuch tools, utenſils, counterfeit coin, clippings and filings, as the perſon and perſons in whoſe poſſeſſion the ſame ſhall be found, and to commit all ſuch perſon and perſons to the common gaol, in any ſuch town or pariſh, in order that ſuch perſon and perſons, ſo offending, may be dealt with according to law.

Perſons knowingly importing

IV. And, for the preventing the further importation of, and paſſing of, all ſuch baſe or counterfeit coins, be it enacted by the authority aforeſaid, That if any maſter, commander, or ſupercargo, or any other perſon or perſons whatſoever, ſhall, after the firſt day of January, which will be in the

False coins, to be deemed felons, and suffer death.

year of our Lord one thouſand ſeven hundred and ſeventy-four, import, or cauſe or procure to be imported, into any part of this iſland, any falſe, baſe, forged, or counterfeit gold money or coin, reſembling and like to any of the coins of foreign realms that are now, or that ſhall hereafter be, current in this iſland, or that ſhall be taken and received here by general conſent, knowing the ſame to be falſe, baſe, forged, or counterfeit, ſhall, upon lawful conviction thereof, be deemed guilty of felony, and ſuffer death as a felon, without benefit of clergy.

Weights and value of coins eſtabliſhed.

V. And be it further enacted by the authority aforeſaid, That, from and after the firſt day of January, which will be in the year of our Lord one thouſand ſeven hundred and ſeventy-four, each piece of Spaniſh gold coin, called a double doubloon, or four-piſtole piece, weighing ſeventeen penny-weights eight grains, troy weight, ſhall paſs and be current for five pounds; each doubloon, or two-piſtole piece, weighing eight pennyweights and ſixteen grains, ſhall paſs and be current for two pounds ten ſhillings; each ſingle piſtole piece, weighing four penny-weights and eight grains, ſhall paſs and be current for one pound five ſhillings; each half-piſtole piece, weighing two pennyweights and four grains, ſhall paſs and be current for twelve ſhillings and ſix pence; each quarter-piſtole piece, weighing one pennyweight and two grains, ſhall paſs and be current for ſix ſhillings and three pence; each French double piſtole piece, weighing eight pennyweights and ſixteen grains, ſhall paſs and be current for two pounds ten ſhillings; each French piſtole-and-half-piece, weighing ſix pennyweights and twelve grains, ſhall paſs and be current for one pound ſeventeen ſhillings and ſix pence; each French piſtole piece, weighing four pennyweights and eight grains, ſhall paſs and be current for one pound five ſhillings; each French half-piſtole piece, weighing two pennyweights and four grains, ſhall paſs and be current for twelve ſhillings and ſix pence; each Portugal piece of gold coin, called a johannes, weighing eighteen pennyweights and twelve grains, ſhall paſs and be current for five pounds ten ſhillings; and each half-johannes, weighing nine pennyweights and ſix grains, ſhall paſs and be current for two pounds fifteen ſhillings; each quarter-johannes, weighing four pennyweights and fifteen grains, ſhall paſs and be current for one pound ſeven ſhillings and ſix pence; and ſo in proportion for each eighth and ſixteenth part of the ſaid Portugal gold coin; each Portugal piece of gold coin, called a moidore, weighing ſix pennyweights and twenty-two grains, ſhall paſs and be current for two pounds; and ſo in proportion for each greater or ſmaller piece of ſaid coin.

What deductions are to be made from the value of coins that are deficient in weight.

VI. And be it further enacted by the authority aforeſaid, That, from every piece of gold coin of the ſeveral deſcriptions and denominations herein before mentioned, that ſhall be deficient of the ſeveral and reſpective weights herein before affixed, there ſhall be a deduction, from their ſeveral and reſpective values, of three pence for every grain weight ſo deficient.

VII. And

VII. And be it further enacted by the authority aforeſaid, That, from and after the ſaid firſt day of January, in the year of our Lord one thouſand ſeven hundred and ſeventy-four, all and every the herein before mentioned and deſcribed gold coins ſhall paſs and be current, and be a legal tender in all payments whatſoever, at the rates and proportions herein before affixed to them reſpectively by this law. Coins before described to pass, and be a legal tender in all payments.

VIII. Provided always, and it is hereby further declared, That nothing in this act contained ſhall extend, or be conſtrued to extend, to reſtrain his majeſty from regulating and ſettling the ſeveral rates of the ſaid ſpecies of foreign coins in this iſland, in ſuch other manner, and according to ſuch other rates and proportions, as his majeſty, by his royal proclamation for that purpoſe to be iſſued, ſhall, from time to time, judge proper and neceſſary, or from giving his royal aſſent to any law hereafter to be made in this iſland for ſettling and aſcertaining the current rates of ſuch coins within the ſaid iſland; but that ſuch further regulations may be made, and ſuch aſſent given, in as full and ample manner, to all intents and purpoſes, as the ſame might have been done in caſe this act had not been made, and no otherwiſe; any thing herein before contained to the contrary thereof in anywiſe notwithſtanding. Saving the rights of the crown.

IX. And, in order that the preſent baſe or counterfeit coins now in this iſland may be deſtroyed, and the introduction of any more from North-America or other parts, or of any more being coined or made in this iſland, may be prevented, be it enacted by the authority aforeſaid, That when any piece of gold or ſilver coin ſhall be offered in payment, and ſhall ſeem baſe or counterfeit to the perſon to whom the ſame ſhall be offered, it ſhall and may be lawful for ſuch perſon to carry the ſaid piece of coin, ſo offered in payment, to any magiſtrate; and ſuch magiſtrate is hereby authorized and empowered, on the ſaid piece of gold or ſilver coin appearing in his judgment to be baſe or counterfeit, to cauſe the ſaid piece of gold or ſilver coin to be cut into two equal parts, as nearly as can be: Provided nevertheleſs, as the perſon ſo offering in payment ſuch piece of gold or ſilver coin may be innocent as to the making, counterfeiting, or coining the ſame, That all pieces of gold or ſilver coin, ſo cut by the order of any magiſtrate, ſhall be by ſuch magiſtrate delivered back to the perſon who offered the ſame in payment. Coins offered in payment, and suspected to be base, to be cut into two equal parts, by order of a magistrate; who is to return the pieces to the owner.

X. And whereas a great loſs may ariſe to the provoſt-marſhal, receiver-general of this iſland, and paymaſters of the regiments on this ſtation, by their having a conſiderable ſum of money by them, either the property of the ſuitors (or their aſſignees) in the courts of juſtice, or the public funds of this iſland, or belonging to their reſpective regiments: To indemnify ſuch officers, Be it enacted, and it is hereby enacted, That all ſuch ſums of money as ſhall be remaining in the hands of the ſaid officers, and which Money remaining in the hands of

certain public officers to be weighed;

and deficiency in weight paid by receiver-general.

ſhall appear, upon oath of the ſaid officers, or the oath of the caſhier in their reſpective offices, to be the property of the ſuitors as aforeſaid, or money belonging to the public of this iſland, ſhall, within three days after the paſſing this act, be weighed in the preſence of two judges of the grand court; and the loſs ariſing on the ſaid money ſhall be made good, at the rate of three pence each grain, to the ſaid officers, by the receiver-general, out of any money remaining in his hands unappropriated.

CAP. XIX.

REPEALED. *An act to prevent negro and other runaway ſlaves from being harboured and entertained, by eſtabliſhing a conſtant patrolling party in each pariſh throughout this iſland; and to prevent ſlaves from being carried from this iſland by maſters of ſhips and other veſſels.*—[24th December, 1773.]

CAP. XX.

EXPIRED. *An act for reviving and continuing an act entitled, "An act for the better regulating, training, and diſciplining, the militia; and for enforcing and rendering more effectual an act entitled, 'An act for ſettling the militia.'"*—[24th December, 1773.]

CAP. XXI.

EXPIRED. *An act to prevent improper levies being made on the negro or other ſlaves of minors; and to regulate the ſales of ſlaves taken on writs againſt perſons who have only an eſtate for a term of years, or for their own lives, or for the lives of any other perſons, in negro or other ſlaves.*—[24th December, 1773.]

CAP. XXII.

OBSOLETE. *An act to reverſe part of the ſentence againſt Richard (*alias *Dick) Wade, a priſoner in the gaol of Kingſton, in the county of Surrey.*—[24th December, 1773.]

CAP. XXIII.

EXPIRED. *An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes.*—[31ſt December, 1773.]

CAP. XXIV.

OBSOLETE. *An act for calling in the Spaniſh unmilled gold coins now paſſing current in this iſland; and for ſinking and dividing, in the moſt eaſy and equitable manner, by a lottery, the loſs that will be ſuſtained in iſſuing the Spaniſh unmilled gold coins, ſo called in.*—[31ſt December, 1773.]

CAP.

CAP. XXV.

An act to establish and confirm the boundary line between the parishes of St. Andrew and Port-Royal.

[13th February, 1774.]

Preamble.

WHEREAS the dividing line between the parishes of St. Andrew and Port-Royal hath not been properly ascertained; by means whereof many of the inhabitants have not known to which parish they belonged, and on that account many disputes and difficulties have arisen in collecting the public and parochial taxes: And whereas the justices and vestries of the said two parishes, to ascertain the true boundary thereof, have at their joint expence had an accurate survey thereof made; to render which survey the more effectual, they are desirous of having the same confirmed and established by law: In order, therefore, that all controversies and disputes touching the premises may be determined, and in future prevented, and that it may be known and ascertained what estates and settlements are in and do belong to the said respective parishes, We, your majesty's most dutiful and loyal subjects, the assembly of this your majesty's island of Jamaica, most humbly beseech your majesty that it may be enacted; Be it therefore enacted by the governor, council, and assembly, and it is hereby enacted by the authority of the same, That the dividing line between the said parishes of St. Andrew and Port-Royal shall, for ever hereafter, be in manner following; that is to say, To begin a little to the eastward of the five-mile stone, by the side of Kingston harbour, and to run from thence, north-east six degrees, one hundred eighty-two chains; from thence, north-east ten degrees, two hundred and eighty chains, to Hoghole River; from thence, north-east thirty-five degrees, two hundred and four chains, to Yallahs River, and up the said river to its source, being to the main ridge that divides the parish of St. George from St. Andrew and Port-Royal; as by a plat or diagram performed and executed by William Smellie, sworn surveyor, on the twenty-first day of December, in the year of our Lord one thousand seven hundred and seventy-two, and now of record in the secretary's office of this island, relation being thereunto had, will more fully and at large appear.

Establishment of dividing line between the parishes of St. Andrew and Port-Royal.

Patent book, *lib.* 32, *fol.* 232.

II. And be it further enacted by the authority aforesaid, That the said line, as represented and laid down in the said plat or diagram, shall for ever hereafter be taken and esteemed as the dividing line between the said parishes of St. Andrew and Port-Royal; any law, custom, or usage, to the contrary thereof in any wise notwithstanding.

Such line of division to be taken as the dividing line between the said parishes.

III. And whereas the lands belonging to some of the settlements, bordering on the said dividing line, are part in one parish and part in the other: In order, therefore, the more effectually to prevent disputes respecting

ing the payment of the taxes, Be it further enacted by the authority aforesaid, That, in all cases where it shall so happen, such settlement, if a sugar plantation, shall be deemed and taken to be in that parish where the works are at this time situated; and if any other settlement, the same shall be deemed and taken to be in that parish where the mansion or dwelling-house is at this time situated, and shall give-in and pay their taxes accordingly.

How the taxes are to be paid for bordering settlements.

CAP. XXVI.

EXPIRED. *An act for granting an additional salary to his excellency sir Basil Keith, knight, governor and commander in chief of this island, during his administration.*—[13th February, 1774.]

CAP. XXVII.

EXPIRED. *An act further to oblige the several inhabitants of this island, to provide themselves with a sufficient number of white men, white women, and white children, in this present year of our Lord one thousand seven hundred and seventy-four.*—[13th February, 1774.]

CAP. XXVIII.

An act to repeal an act, passed in the last session of assembly, entitled, "An act to prevent the fraudulent passing or paying away bonds, promissory notes, or bills of exchange, or assigning judgments obtained on them, or any other judgments at law, without giving due credit for all monies paid on account of such bonds, notes, bills of exchange, or judgments; and to oblige all assignees of judgments to record them in the office of the clerk of the supreme court;" and more effectually to prevent frauds in passing, paying away, or assigning, judgments, bonds, promissory notes, and bills of exchange; and to regulate the issuing writs on judgments at law; and for entering satisfactions; and to regulate the offices of the clerk of the supreme court and provost-marshal, in respect to the entering satisfactions on judgments paid.

[13th February, 1774.]

Preamble. WHEREAS the before-recited act hath not been found to answer the good purposes intended, as many doubts have arisen on the construction thereof: We, therefore, your majesty's most dutiful and loyal subjects, the assembly of this island, beseech your majesty that it may be enacted; Be it therefore enacted by the governor, council, and assembly, and it is hereby enacted by the authority of the same, That, from and after the passing of this act, the said recited act, and

and every clauſe, matter, and thing, therein contained, be, and they are hereby, repealed, annulled, and made void, to all intents and purpoſes. Above-mentioned act repealed.

II. And whereas, from the great ſcarcity of current coin in this iſland, it is become uſual and neceſſary to paſs and pay away bonds and promiſſory notes, and to aſſign judgments obtained on ſuch bonds and notes: And whereas many inconveniencies and ſuits at law have ariſen, and daily do ariſe, in not endorſing, on the back of every bond or note, all monies paid on account of ſuch bond or note, at the time of paſſing or paying it away: To remedy ſuch inconveniencies for the future, We, your majeſty's moſt dutiful and loyal ſubjects, the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted, and it is hereby enacted by the authority of the ſame, That, from and after the paſſing of this act, no bond or note, paſſed or paid away, ſhall be good and valid to the perſon receiving the ſame for a larger or greater ſum than ſhall be really and *bonâ fide* due thereon, at the time of paſſing or paying away ſuch bond or note; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding. No bond, &c. paid away, to be valid to the perſon receiving it for more than is really due thereon.

III. And be it enacted by the authority aforeſaid, That every bond that ſhall be paſſed or paid away, from and after the paſſing of this act, ſhall have on the back of it an aſſignment written in the following words, or words to that effect: Bonds paſſed away, to have an aſſignment thereon.

BE *it remembered, that I, A. B. have this day of in the year of our Lord aſſigned the within bond to C. D. his executors, adminiſtrators, and aſſigns, and that the ſum of is due thereon for principal, and for intereſt; and that no payment hath been made thereon more than is this day ſet forth and allowed*; Form of the aſſignment;

which aſſignment ſhall be made under the hand of the obligee or obligees, or his, her, or their attorney, or under the hand of one or more of his, her, or their, executors or adminiſtrators: Which aſſignment ſo made ſhall be good and valid, to all intents and purpoſes, as if the aſſignee or aſſignees of ſuch bond had actually been the obligee or obligees named therein, with all ſuch rights and powers as ſuch obligee or obligees could have to put the ſaid bond in ſuit, to take a judgment thereon, in his, her, or their own names, and to iſſue writs for the recovery thereof; any thing in this act, or any law, cuſtom, or uſage, to the contrary thereof notwithſtanding: Provided always, That the name or names of the obligee or obligees, and the aſſignment or aſſignments, ſhall be ſet forth in the declaration, that all kind of fraud may be prevented. which is to be ſigned by the obligee. Aſſignment to be effectual to the aſſignee, in caſe of ſuits; but aſſignments to be ſet forth in declarations,

IV. And be it enacted by the authority aforeſaid, That when any aſſignee or aſſignees of a bond, or his, her, or their attorney, executors, or adminiſtrators, Aſſignments tranſferred to

be under the same form;

administrators, shall pass or pay away such bond before judgment shall be obtained thereon, such assignee or assignees, or his, her, or their attornies, executors, or administrators, shall assign the same, to any future assignee or assignees, in like manner prescribed by this act for an obligee or obligees; and such future assignee or assignees shall have the same rights and powers as are before given by this act, to the first assignee or assignees; any thing in the before-recited act, or any law, custom, or usage, to the contrary thereof in anywise notwithstanding.

and future assignees intitled to the same powers as the first assignees.

Punishment on obligees who assign bonds for a larger sum than is actually due thereon.

V. And be it enacted by the authority aforesaid, That, in case any obligee or obligees shall assign any bond for a larger sum than is actually and *bonâ fide* due thereon, such obligee or obligees shall be deemed guilty of a misdemeanor, and, on conviction thereof in the supreme court, or in either of the county courts of this island where the offence shall be tried, such obligee or obligees shall suffer such fine and imprisonment as the judges of such court shall think necessary to inflict, and shall remain in gaol till such fine shall be paid, and such sum also as shall have been over-charged to the person or persons who shall appear to the said court to have been thereby defrauded.

Judgments passed away to be assigned.

VI. And be it enacted by the authority aforesaid, That all judgments which shall be, after the passing of this act, obtained on any bond, promissory note, bill of exchange, or on any account or cause of action whatever, in any of the courts of this island, [*and*] shall be passed or paid away, such judgment shall be assigned in the manner following:

Form of the assignment.

BE *it remembered, that I, A. B. have this day of in the year of our Lord assigned unto C. D. his heirs, executors, and administrators, a judgment obtained in grand court, for the sum of by against on his bond, note, bill of exchange* (or as the same may be), *and that there is now due thereon the sum of principal money, the sum of for interest, and costs of suit, and I have received the sum of in full consideration thereof;*

Assignment to be recorded.

and the said assignment shall be recorded in the office of the clerk of the supreme court.

Clerk of the court to keep separate books for recording such assignments. His fee for recording them.

VII. And be it further enacted by the authority aforesaid, That the clerk of the supreme court of this island shall keep a separate book for recording such assignments, and for the inspection of all persons demanding the same; and shall receive, for recording such assignments, one shilling and three pence, and, for the perusal or inspection thereof, seven pence half-penny, and no more; any law, custom, or usage, to the contrary in anywise notwithstanding.

VIII. And

VIII. And be it further enacted by the authority aforeſaid, That the clerk of the ſaid court for the time being ſhall, upon ſuch aſſignment being recorded in his office as aforeſaid, make, or cauſe to be made, a note, in the margin of the record of the judgment or judgments ſo aſſigned, of the name of the perſon to whom the ſame ſhall be ſo aſſigned, and the date of ſuch aſſignment; and that the clerk of the ſaid court ſhall not ſuffer to iſſue, out of his ſaid office, any writ of execution or *venditioni exponas* on every [*any*] ſuch judgment or judgments, but to the party intitled to ſuch aſſignment, or his attorney at law.

Names of aſſignees to be marked on records of ſuch judgments.

No execution to iſſue but for aſſignees.

IX. And be it further enacted by the authority aforeſaid, That all judgments which have been obtained previous to the paſſing of this act, and paſſed or paid away according to the former uſage and cuſtom of this iſland, and agreeably to former determinations of the ſupreme court, ſhall be good and valid to all intents and purpoſes, and the aſſignees be at liberty to proceed in the uſual manner in iſſuing writs, and in every other reſpect as if this act had never been made.

Judgments paſſed away previous to paſſing this act declared valid.

X. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for every holder of a bond, which had been paſſed or paid away before the making this act, with a blank endorſement or aſſignment, to write the form preſcribed by this act over the name or names of the perſon or perſons who had endorſed or aſſigned the ſame as aforeſaid; and the ſame ſhall be good and valid to all intents and purpoſes, as if the ſame had been written before the name or names of the party or parties who paſſed or paid away the ſaid bond had been put thereon; provided the ſame be done in preſence of ſome witneſs, and atteſted by him.

Holders of bonds paſſed before making this act, with a blank endorſement, may write the aſſignment; which ſhall be valid, if atteſted.

XI. And it is hereby declared to be the intent and meaning of this act, That the provoſt-marſhal of this iſland ſhall not be authorized to refuſe the payment of any ſum or ſums in his office, liable to judgments obtained before the paſſing this act, in any other manner than he might have done had this act never been made.

Payments on old judgments not delayed hereby.

XII. And whereas the verdict of a jury, on a bond proved, is always for the penal ſum, though many payments may have been made thereon: Be it enacted by the authority aforeſaid, That, notwithſtanding ſuch verdict ſhall be for the penal ſum, if any payments ſhall have been made, which appear on the back of any bond put in ſuit, the jury ſhall ſet forth the ſame in their verdict, with their ſeveral dates, and the ſaid ſums ſhall be allowed.

Bonds ſued whereon payments have been made, the jury are to ſet forth the ſame in their verdict.

XIII. And be it further enacted by the authority aforeſaid, That all notes and orders hereafter to be granted, carrying intereſt, and which ſhall or may, at any time from and after the paſſing of this act, be ſued, ſhall carry

Notes and orders carrying intereſt, and ſued, to bear

Interest after judgment.

carry and bear intereſt after judgment is obtained thereon upon the principal ſum, at the ſame rate of intereſt as ſuch notes or orders bore before judgment, until the whole principal is fully paid and ſatisfied.

XIV. And whereas the laws hitherto made, in order to compel plaintiffs, their attornies, executors, or adminiſtrators, or the aſſignees of ſuch plaintiffs, their attornies, executors, or adminiſtrators, to enter ſatisfaction, in the office of the clerk of the ſaid ſupreme court of judicature, on the margin of the record of the ſeveral judgments obtained by them, when the debt or damages and coſts have been fully paid and ſatisfied, have not proved effectual, chiefly owing to the defendant or defendants, their attornies, executors, or adminiſtrators, neglecting to pay the fee, due to the clerk of the ſaid ſupreme court of judicature of the ſaid iſland, for entering up ſuch ſatisfaction, to the great injury and diminution of the credit of ſuch defendant or defendants: For remedy whereof, Be it enacted by the authority aforeſaid, That it ſhall and may be lawful, from and after the paſſing of this act, for the clerk of the ſaid ſupreme court, or for the clerk of the ſaid court for the time being, to tax, as part of the common coſts on all judgments hereafter to be obtained, the ſum of two ſhillings and ſix pence, and to inſert the ſame in the bill of coſts, and that it be a full and ſufficient conſideration for his entering ſuch ſatisfaction as aforeſaid, when ſuch judgments to be obtained hereafter ſhall be fully ſatisfied, under the penalty of one hundred pounds to the party injured, for every refuſal or neglect: And that every ſuch plaintiff or plaintiffs, aſſignee or aſſignees, their attornies, executors, or adminiſtrators, ſhall, within ſix months after the receiving ſatisfaction on any judgment to be recovered after the paſſing of this act, give, in writing under his, [*her*,] or their hands, good and ſufficient authority to the ſaid clerk of the court to enter ſatisfaction on the margin of the record of ſuch judgment or judgments, under the penalty of one hundred pounds to the party injured.

Clerk of the court to tax, as part of coſts, the fee for his entering ſatisfaction on judgments;

which he is to enter, on penalty of 100*l.*

Plaintiffs in judgment, within ſix months after payment, are to give authority to enter ſatisfaction.

XV. And whereas many writs are returned ſatisfied every court in the provoſt-marſhal's office: Be it enacted by the authority aforeſaid, That the provoſt-marſhal for the time being do, within ten days next after every grand court, under the penalty of five hundred pounds for every neglect, return, into the office of the clerk of the ſaid ſupreme court, true, juſt, and perfect liſts, properly atteſted under his hand, of all ſuch writs as are from court to court returned ſatisfied in his office; and that the clerk of the ſaid ſupreme court do record the ſame in a book by him to be kept for that purpoſe, and that, by virtue thereof, he do enter ſatisfaction on the margin of the records of the judgments on which ſuch writs were iſſued.

Provoſt-marſhal, after every grand court, to return a liſt of all writs ſatisfied.

XVI. And be it further enacted by the authority aforeſaid, That the clerk of the ſaid ſupreme court of judicature for the time being do, from time to time, under the like penalty of five hundred pounds for every offence,

Clerk of the court to certify to provoſt-

fence, return a certificate under his hand, into the provoſt-marſhal's office, of each and every ſatisfaction entered on judgment or judgments in his office; and that the provoſt-marſhal for the time being do, under the penalty of one hundred pounds for every neglect or refuſal, make an entry in his books of ſuch writs ſo returned to him by the clerk of the ſaid ſupreme court being ſatisfied, on his being paid by the defendant or defendants in ſuch writ or writs, or the attornies, executors, or adminiſtrators, of ſuch defendant or defendants, the ſum of two ſhillings and ſix pence for each ſatisfaction.

marshal all satisfactions entered on judgments.

Provost-marsaal to make entries in his books, of such writs being satisfied.

XVII. And be it further enacted by the authority aforeſaid, That the clerk of the ſaid ſupreme court of judicature for the time being do, for the future, keep regular and juſt fore and back alphabets of all judgments to be hereafter obtained in the ſaid ſupreme court of judicature, or courts of aſſize, under the penalty of five hundred pounds.

Clerk of the court to keep fore and back alphabets of all judgments to be obtained.

XVIII. And be it enacted by the authority aforeſaid, That if any perſon or perſons ſhall wittingly or willingly ſteal, tear, burn, or otherwiſe deſtroy, alter, or eraſe, any bond, note, or bill of exchange, for the payment of money, or any endorſement on ſuch bond, note, or bill of exchange, with an intent to defraud, ſuch perſon, being thereof convicted, ſhall ſuffer death as a felon, without benefit of clergy: Provided nevertheleſs, That nothing herein contained ſhall extend, or be conſtrued to extend, to the corruption of blood, diſheriſon of heirs, or forfeiture of goods and chattels.

Persons guilty of stealing, erasing, &c. of a bond or endorsement, deemed guilty of felony;

but their guilt not to corrupt blood.

XIX. And be it further enacted by the authority aforeſaid, That all and every the penalties mentioned in this act, and not declared how they ſhall be recovered and applied, ſhall be recoverable in the ſupreme court of judicature, by bill, plaint, or information, wherein no eſſoin, protection, wager of law, or *non vult ulterius proſequi*, ſhall be granted or allowed; one moiety whereof ſhall be to the uſe of the informer, or him, her, or them who ſhall ſue for the ſame, the other moiety to his majeſty, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof.

Penalties how to be recovered and disposed of.

CAP. XXIX.

An act for the relief and better regulation of the ſick, maimed, infirm, and diſabled tranſient poor; and for laying a tax, for their ſupport and maintenance, on all maſters of ſhips and other veſſels trading to this iſland.—[13th February, 1774.]

EXPIRED.

CAP. XXX.

An act for laying an additional duty on all negroes imported into this iſland.—[13th February, 1774.]

EXPIRED.

CAP. XXXI.

An act for dividing the parish of St. James into two distinct parishes, for the ease of the inhabitants.

[13th February, 1774.]

Preamble.

WHEREAS the parish of St. James is of such large extent that the inhabitants, without long time of warning, extraordinary fatigue, loss of time, and great expence, cannot convene and appear on public occasions, either at church, election of members to serve as representatives in assemblies, choosing churchwardens and vestrymen, laying on taxes, appointing surveyors of the highways, and many other privileges, as subjects of Great-Britain, are thereby lost: And whereas the quantity of land, number of settlements, and inhabitants, contained in the said parish, are sufficient for two separate and distinct parishes: Be it therefore enacted and ordained by the governor, council, and assembly of Jamaica, and it is hereby enacted and ordained by the authority of the same, That the said parish of St. James be divided, and it is hereby divided, into two separate and distinct parishes, in manner following; that is to say, By a line from the house on Long-Bay where a tavern was formerly kept, running due south, until it meets with the north boundary of the parish of St. Elizabeth, and by a line from the centre of the said house, and that all the lands to the westward of the said line shall be a distinct and separate parish, and continue to be called and known by the name of the parish of St. James; and all the lands to the eastward of the said line shall be a distinct and separate parish, and is hereby called by the name of the parish of Trelawny, and in the county of Cornwall; which said two parishes shall, for ever hereafter, be taken and esteemed, to all intents and purposes, two distinct parishes, separate from each other, and be respectively called and known by the names of the parishes of St. James and Trelawny, and respectively have, use, exercise, and enjoy, all and every the powers, authorities, benefits, privileges, rights, immunities, and customs, that all or any of the parishes or precincts within this island have, or ought to have, use, exercise, or enjoy, of common right, or by virtue of any general act of this island, as fully, amply, and effectually, as if they had been two distinct and separate parishes or precincts, and therein by name expressly mentioned and specified; any law, custom, or usage, to the contrary notwithstanding.

St. James's divided into two parishes.

Its future boundaries.

Extent of the parish of Trelawny.

II. And whereas it may be supposed that the parish of St. James, before the separating and dividing thereof, was indebted and in arrear, in taxing, levying, and paying, some public debt or sum of money: And whereas there is already, before the dividing of the parish, as aforesaid, money taxed, collected, or paid, to the churchwardens or constables: Therefore, Be it enacted and ordained by the authority aforesaid, That the churchwardens, which shall be next chosen for each of the two several and respective parishes,

riſhes, ſhall have and receive, ſue for and recover, ſuch proportion of the money already taxed, levied, or paid, as was taxed, levied, collected, or paid, in or by the inhabitants of the pariſh of Trelawny before they were divided; and that each of the ſaid pariſhes ſhall raiſe money, according to the proportion aforeſaid, for the payment and diſcharging ſuch public debts as were due from the ſaid pariſh of St. James at the time of dividing the ſame into two diſtinct and ſeparate pariſhes; any law, cuſtom, or uſage, to the contrary notwithſtanding.

Monies already collected to be divided between the two parishes; which must each pay a proportion of debts.

III. And be it further enacted by the authority aforeſaid, That the juſtices of the ſaid pariſh of Trelawny, or any two of them, ſhall, after the paſſing of this act, every year iſſue their warrant to the conſtables or tythingmen, to ſummon ſuch of the freeholders of the ſaid pariſh, as are duly qualified to give their voices for the chooſing members to ſit in the aſſembly, to meet at Martha-Brae on the ſecond Tueſday in March; which freeholders, when met, ſhall chooſe, by the poll, ten veſtrymen and two churchwardens; which ſaid ten veſtrymen and two churchwardens ſhall be freeholders of the ſaid pariſh, duly qualified as aforeſaid.

Juſtices to iſſue warrants for ſummoning freeholders to choose churchwardens and veſtrymen for Trelawny.

IV. And be it further enacted by the authority aforeſaid, That the clerk of the veſtry of the ſaid pariſh of Trelawny ſhall, within the ſpace of ſix months after the paſſing of this act, provide and keep a book for recording the names of the freeholders, and all other books for the ſaid pariſh, in ſuch manner and for ſuch uſes and purpoſes as are appointed to be kept by virtue of any general law or laws for any other pariſh within this iſland: And the freeholders of the new pariſh of Trelawny, whoſe names were recorded in the pariſh-book of the pariſh of St. James before the paſſing of this act, ſhall have a right to vote at all elections for the ſaid pariſh of Trelawny which ſhall happen within the ſpace of ſix months aforeſaid: And the clerk of the veſtry for the pariſh of St. James is hereby required and directed to attend, either by himſelf or ſome perſon on his behalf, under the penalty of five hundred pounds, at every ſuch election for the ſaid pariſh of Trelawny; and ſhall receive, for his trouble therein, the ſum of five pounds for every ſuch his attendance, and no more: And which ſaid penalty of five hundred pounds ſhall be recovered, in any court of record in this iſland, by action of debt, bill, plaint, or information, wherein no eſſoin, wager of law, or injunction, ſhall be granted, or *non vult ulterius proſequi* be entered or allowed; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Books to be kept in Trelawny as in other parishes.

Right of freeholders to vote at elections.

Clerk of St. James's vestry to attend at elections in Trelawny, under penalty of 500*l.*

His fee.

Recovery and application of penalty.

V. And be it further enacted by the authority aforeſaid, That the incumbent of the ſaid pariſh of Trelawny ſhall receive of the churchwarden or churchwardens of the ſaid pariſh, every ſix months, the ſum of one hundred pounds; to be raiſed and collected as is directed in and by an act entitled, *An act for the maintenance of miniſters and the poor, and erecting and*

200*l. per annum* to be paid to the incumbent.

33 *Car.* II. *cap.* 18.

and repairing of churches; ſubject, nevertheleſs, to the like penalties and regulations as the other incumbents of the ſeveral other pariſhes of this iſland are or may be ſubjected to.

VI. And whereas the poor of one pariſh may exceed the poor of the other, which may bear hard upon the pariſhioners of ſuch pariſh where the poor are moſt numerous, which ought to be maintained and ſupported equally by both pariſhes: Be it therefore enacted by the authority aforeſaid, That, at all times for ever hereafter, the expence and maintenance of the poor of both of the ſaid pariſhes ſhall be equally provided for by the juſtices and veſtrymen of both pariſhes, and a tax levied and raiſed in each pariſh, in equal proportions, for that purpoſe.

The poor of both parishes to be provided for equally by them.

Anno regni Georgii tertii decimo quinto.

CAP. I.

EXPIRED. *An act for applying the ſurpluſage of the monies that have ariſen or ſhall ariſe by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," to certain uſes; and for appointing commiſſioners for carrying this act into execution.*—[19th November, 1774.]

CAP. II.

EXPIRED. *An act for eſtabliſhing and declaring rules and articles of war.*—[19th November, 1774.]

CAP. III.

EXPIRED. *An act for reviving and continuing an act entitled, "An act for the better regulating, training, and diſciplining, the militia; and for enforcing and rendering more effectual an act entitled, 'An act for ſettling the militia.'"*—[19th November, 1774.]

CAP. IV.

An act appointing commissioners to settle the public accounts, and look into the state of, and count the cash in, the treasury; and to oblige the receiver-general to keep one general account of cash.—[19th November, 1774.]

Preamble. WHEREAS it is neceſſary that commiſſioners ſhould be conſtantly empowered to ſettle and adjuſt all accounts relating to the public funds: May it therefore pleaſe your moſt excellent majeſty that it may be enacted by the governor, council, and aſſembly, of

of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That the members of the preſent aſſembly, or the members of the aſſembly for the time being, be, and they are hereby, appointed commiſſioners; and that they, or any three of them, during the intervals of the ſittings of the aſſembly, do, from time to time, ſettle and adjuſt the public accounts with the preſent or any future receiver-general, who hath been, is, or ſhall be hereafter, appointed for receiving and iſſuing of the public money; and that they, or any three of them, are hereby empowered, from time to time, during the intervals of the ſittings of the aſſembly, to ſettle and adjuſt the ſeveral accounts of the old and new revenue, additional duty, deficiencies, poll-taxes, and all other funds and taxes whatſoever, already due, or hereafter to become due; and alſo, from time to time, as often as they ſhall think proper, to look into and count over the caſh, which ſhall be in the ſaid receiver-general's hands, belonging to the public.

House of aſſembly appointed commiſſioners;

who are to ſettle the public accounts with the receiver-general,

adjust all taxes;

and count caſh when they think proper.

II. And be it further enacted by the authority aforeſaid, That George Scott, eſquire, the receiver-general, or the receiver-general for the time being, ſhall keep, or cauſe to be kept, in a ſeparate book, one general account of all the public caſh that ſhall be received and paid by him; and ſuch account of caſh ſhall be balanced once in every week at the leaſt, under the penalty of fifty pounds for every omiſſion; to be recovered in the ſupreme court of judicature, by action of debt, bill, plaint, or information.

Receiver-general to keep one general account of caſh received and paid; which muſt be balanced every week.

CAP. V.

An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.—[19th November, 1774.]

EXPIRED.

CAP. VI.

An act to limit the duration of the ſeveral courts of juſtice in this iſland; and to enable one judge of the ſupreme court of judicature, and one juſtice of the courts of aſſize of the counties of Surrey and Cornwall, to open and adjourn the ſaid courts reſpectively.—[19th November, 1774.]

Arrangement of the courts altered by 38 Geo. III. *cap.* 23.

WHEREAS the long duration of the ſeveral courts of juſtice in this iſland has heretofore been attended with many inconveniencies to the ſuitors, jurors, witneſſes, and other his majeſty's ſubjects: And whereas the buſineſs tranſacted in the ſaid courts may be tranſacted in a much ſhorter time than is now taken up by their reſpective ſittings: And whereas the limiting the duration of the ſaid ſeveral courts to a certain period will greatly tend to the diſpatch of buſineſs, and the remedying

Preamble.

dying the great inconveniencies above mentioned: May it therefore please your moſt excellent majeſty, that it may be enacted by your majeſty's governor, council, and aſſembly, of this your iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That, from and after the paſſing this act, the ſupreme court of judicature of this your majeſty's iſland of Jamaica ſhall meet quarterly, at the days already by law appointed, and may continue ſitting until the Saturday in the third week after ſuch their meeting, incluſive, and no longer.

Grand court to meet quarterly, and sit till the Saturday in the third week after meeting.

II. And be it further enacted by the authority aforeſaid, That the court of aſſize for the county of Surrey, in this your majeſty's ſaid iſland, and the court of aſſize for the county of Cornwall, in this your majeſty's ſaid iſland, ſhall ſeverally meet quarterly, at the days by law appointed, and may continue ſitting until the Saturday in the ſecond week after ſuch their reſpective meetings, incluſive, and no longer: Provided, That nothing in this act contained ſhall extend, or be conſtrued to extend, to reſtrain the judges and juſtices of the ſaid courts, reſpectively, from adjourning over the ſaid courts before the day or days herein limited for the duration thereof, if the buſineſs of ſuch courts ſhall be finiſhed before that time.

Aſſize-courts to meet quarterly, and sit till the Saturday in the ſecond week after meeting. Courts may be adjourned ſooner, buſineſs permitting.

III. And whereas an inconvenience hath been found, by reaſon of the number of judges in the ſupreme court of judicature, and juſtices of aſſize in the courts of aſſize, required to be preſent in the ſupreme court and courts of aſſize reſpectively, not only to diſpatch the buſineſs of the ſuitors of the ſaid courts, but alſo to open and adjourn the ſaid courts when inclemency of the weather, or other accidents, prevent ſuch diſpatch of buſineſs: For remedy thereof, Be it enacted by the authority aforeſaid, That, from and after the paſſing this act, it ſhall and may be lawful for one judge of the ſupreme court, or one juſtice of aſſize of the aſſize-courts of the counties of Surrey and Cornwall reſpectively, to open and adjourn the ſaid courts; and ſuch opening and adjournment, by one judge or juſtice, ſhall be deemed as good and lawful as if the ſame had been made by three judges of the ſupreme court, or three juſtices of aſſize.

One judge of the ſupreme court, or one juſtice of the aſſize-courts, may open and adjourn them.

CAP. VII.

An act to oblige the ſeveral public officers of this iſland to enter into good and ſufficient ſecurity to the crown, for the faithful diſcharge of their reſpective offices, before they are allowed to execute ſuch offices.—[19th November, 1774.]

Preamble.

WHEREAS it is of the utmoſt importance to the welfare of the inhabitants of, and perſons concerned in, this iſland, that the ſeveral public officers thereof ſhould well and faithfully execute their reſpective offices: May it therefore please your majeſty that it may be

be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That the perſons executing the ſeveral public offices of this iſland, namely, the ſecretary of this iſland, the provoſt-marſhal-general, the clerk of the ſupreme court of judicature, and the regiſter of the court of chancery and clerk of the patents of this iſland, do, on or before the firſt day of December, in the preſent year of our Lord one thouſand ſeven hundred and ſeventy-four, enter into recogniſances, themſelves and two ſureties each, in the ſeveral and reſpective ſums herein after particularly named, before the chief juſtice of this iſland, for the faithful and due diſcharge of their ſeveral and reſpective offices; ſuch recogniſances to be entered up and recorded in the office of the clerk of the crown, and to be ſigned by ſuch reſpective officer and his ſecurities before the ſaid chief juſtice, at the time of their entering into ſuch ſecurity.

Certain public officers to enter into recognisances with two securities.

Such recognisances to be recorded.

II. And be it further enacted by the authority aforeſaid, That, from and after the ſaid firſt day of December, no perſon or perſons whatſoever do preſume to enter upon, or to execute, the office of ſecretary of this iſland, provoſt-marſhal, clerk of the court, regiſter in chancery or clerk of the patents, of this iſland, before he hath entered into ſuch recogniſance as is before mentioned, under the penalty of one thouſand pounds, and to be rendered totally incapable of holding ſuch office.

Penalty of 1000*l.* on entering into office before giving such recognisance.

III. And be it further enacted by the authority aforeſaid, That the preſent ſecretary, provoſt-marſhal, clerk of the court, regiſter in chancery and clerk of the patents, and all future ſecretaries, provoſt-marſhals, clerks of the court, regiſters in chancery and clerks of the patents, do leave, with the clerk of the crown and attorney-general, notice in writing of their intention of entering into ſuch recogniſance, together with the names and additions of their intended ſecurities, four days, at leaſt, before their entering into ſuch recogniſance, that the attorney-general may, if he thinks fit, attend at the time of the taking ſuch recogniſance.

Preſent officers to give notice of their intention of entering into recognisance.

IV. And be it further enacted by the authority aforeſaid, That the recogniſance of the ſaid ſecretary ſhall be, himſelf in the ſum of five thouſand pounds, and his two ſureties in the ſum of two thouſand five hundred pounds each; the provoſt-marſhal, himſelf in the ſum of twenty thouſand pounds, and his two ſureties in the ſum of five thouſand pounds each; the clerk of the court, himſelf in the ſum of five thouſand pounds, and his two ſureties in the ſum of two thouſand five hundred pounds each; the regiſter in chancery and clerk of the patents, himſelf in the ſum of five thouſand pounds, and his two ſureties in the ſum of two thouſand five hundred pounds each.

Amount of the different securities to be given.

CAP. VIII.

An act to enable the freeholders of the several parishes of this island, in case of the death or going off the island of any vestryman or churchwarden during the year they are chose, to elect another vestryman or churchwarden in the room of such vestrymen or churchwardens so dying or going off; and to alter the day of choosing vestrymen and churchwardens in the parish of Westmorland; and for other purposes therein mentioned.—[19th November, 1774.]

Preamble.

WHEREAS, by the several laws now in force for the choosing of vestrymen and churchwardens in the several parishes of this island, there is no power, in case of the death or going off the island of any vestryman or churchwarden during the year for which such vestryman or churchwarden hath been chosen, for the freeholders to meet and elect another vestryman or churchwarden, in the room of such vestryman or churchwarden so dying or going off the island, as aforesaid: To remedy the inconveniencies arising therefrom, May it please your majesty that it may be enacted; Be it therefore enacted by the governor, council, and assembly, of this his majesty's island of Jamaica, and it is hereby enacted by the authority of the same, That, in case of the death or going off the island of any vestryman or churchwarden, the several justices of every parish, or any two of them, shall, within thirty days after the death or going off this island of such vestryman or churchwarden, issue out their warrants to the constables and tythingmen, to summon such of the freeholders of the respective parishes, as are duly qualified to give their voices for the choosing members to sit in the assembly, to meet at the usual place of meeting of the justices and vestry, then and there to elect, by poll, another vestryman or churchwarden, in the room of such vestryman or churchwarden so dead or gone off the island, as aforesaid.

Justices to issue warrants, within thirty days after removal of any churchwarden or vestryman, to elect others in their room.

II. And whereas the day at present appointed by law for the choosing vestrymen and churchwardens in the parish of Westmorland is found to be very inconvenient to the parishioners of the said parish: Be it enacted by the authority aforesaid, That, from and after the passing this act, the day for choosing vestrymen and churchwardens in the parish of Westmorland shall be the third Tuesday in January in every year, and not on the third Thursday in March as heretofore; and that the justices of the peace for the said parish, or any two of them, shall issue their warrant to summon the freeholders to meet on the said third Tuesday in January, to choose vestrymen and churchwardens, in the same manner and form as they have hitherto

Day of choosing churchwardens and vestrymen for Westmorland altered to the third Tuesday in January.

therto done on the third Thurſday in March; any thing in this or any other law to the contrary thereof in anywiſe notwithſtanding.

III. And whereas ſeveral of the pariſhes in this iſland have ſuffered many inconveniencies, from the neglect of the churchwardens not having paid over the taxes; by means whereof great ſums have been loſt: And whereas there is not ſufficient authority veſted in the juſtices and veſtry, or churchwardens, for recovery of the ſame: Be it therefore enacted by the authority aforeſaid, That the preſent churchwardens of the ſeveral pariſhes in this iſland, or the churchwardens for the time being, ſhall and may be a body politic and corporate, and ſhall be incorporated, eſtabliſhed, and founded, for ever, by the name of THE CHURCHWARDENS of the pariſh where ſuch inconvenience may ariſe, and by that name to have perpetual ſucceſſion for ever: And the ſaid churchwardens for the time being, or either of them, ſhall and may have lawful power and authority, in all matters whatſoever relative to the ſaid parochial and other taxes, to ſue and be ſued, implead and be impleaded, to anſwer and be anſwered unto, in the ſupreme court of judicature, or in any other court of this iſland, and in all manner of ſuits whatſoever, in the ſame ample manner and form, to all intents, conſtructions, and purpoſes, as any other perſon or perſons, bodies politic and corporate in the realm of England, may do.

Churchwardens of the different pariſhes incorporated.

for the purpoſe of recovering taxes.

CAP. IX.

An act to oblige the ſeveral collecting conſtables of the reſpective pariſhes of this iſland, in a ſummary manner, to pay over the parochial taxes into the hands of the reſpective churchwardens.—[19th November, 1774.]

WHEREAS many inconveniencies have ariſen, and may ariſe, to the ſeveral pariſhes in this iſland, from the neglect and delay of the ſeveral collecting conſtables, in not regularly collecting and paying over the parochial taxes into the hands of [*the*] reſpective churchwardens for the ſaid pariſhes: For remedy whereof, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, do moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's ſaid iſland, and it is hereby enacted and ordained by the authority of the ſame, That, from and after the firſt day of January, which will be in the year of our Lord one thouſand ſeven hundred and ſeventy-five, all and every the collecting conſtable or conſtables of the ſeveral pariſhes in this iſland, to whom all and every the rolls for collecting the parochial taxes ſhall be delivered, ſhall, once in every month, if thereunto required, during the time he or they ſhall continue collecting conſtable, render a juſt and true account,

Preamble.

Collecting conſtables to account, and pay in monies, monthly, if required.

upon oath, to the ſeveral churchwarden or churchwardens of the reſpective pariſhes in this iſland, of all ſum or ſums of money he or they ſhall have actually received on account of the rolls delivered to them for their reſpective pariſhes, and pay over the ſame into the hands of the acting churchwarden of the reſpective pariſhes.

Collecting conſtables amenable to the ſupreme court.

II. And be it further enacted by the authority aforeſaid, That all and every the ſaid collecting conſtable or conſtables of the ſeveral pariſhes in this iſland ſhall be, and they are hereby made, amenable to the ſupreme court of judicature of this iſland for any neglect in them, in the ſame manner as the provoſt-marſhal or his deputies are for neglect or non-execution of any writ or writs, with the execution whereof he or they are charged: And the judges of the ſaid ſupreme court, upon complaint made to them, upon oath, by any of the churchwarden or churchwardens of any of the reſpective pariſhes of this iſland, againſt ſuch collecting conſtable or conſtables, for non-payment of ſuch ſum or ſums of money that he or they ſhall have actually received on account of any roll or rolls for collecting the parochial taxes, and not accounted for as aforeſaid, are hereby required and obliged to make an order on all and every ſuch collecting conſtable or conſtables, againſt whom ſuch complaint ſhall be made, to ſhew cauſe, upon oath, why an attachment ſhould not iſſue againſt him or them for not paying over, into the hands of the churchwarden or churchwardens complaining, all ſum and ſums of money he or they ſhall have actually received on account of ſuch roll or rolls; and in caſe ſuch collecting conſtable or conſtables ſhall neglect or refuſe to ſhew ſuch cauſe, then, upon due proof of ſervice of ſuch order, the judges of the ſaid ſupreme court are hereby required and directed to iſſue an attachment againſt ſuch conſtable or conſtables ſo offending as aforeſaid, and him or them to commit to the goal of St. Jago de la Vega, where he or they ſhall remain, without bail or mainpriſe, unto [*until*] the ſeveral ſums of money he or they ſhall have actually received on the ſeveral rolls be paid into the hands of the churchwarden or churchwardens of the reſpective pariſhes, ſo complaining as aforeſaid: And the ſaid churchwarden or churchwardens is and are hereby empowered to take out a writ of *venditioni exponas* againſt the body and goods of the ſecurity or ſecurities of each and every conſtable ſo offending as aforeſaid, in the ſame manner and form as if judgment had been obtained againſt him or them, and "execution levied" had been returned thereon; and ſhall mark, on ſuch writ or writs, levies for ſuch ſums as ſuch conſtable or conſtables, ſo offending as aforeſaid, ſhall have actually received: And the ſaid churchwarden or churchwardens, or either of them, is and are hereby empowered to take out the like writ or writs of *venditioni exponas* againſt the body and goods of each of the ſaid conſtables, who ſhall not have been taken by virtue of the attachment aforeſaid, after it ſhall have been lodged ſix days in the office of the provoſt-marſhal of this iſland, and an affidavit made that endeavours had been uſed to execute the ſame, and *non inventus* returned thereunto;

Judges, on complaint, to make an order for defaulters to ſhew cauſe why attachment ſhould not iſſue.

If cauſe not ſhewn, attachment to iſſue, and conſtables be imprisoned till money paid.

Churchwardens to take out *venditioni*'s againſt ſecurities,

and againſt perſons and property of conſtables not taken,

thereunto; or againſt the goods only of ſuch who ſhall have been attached, in the ſame manner and form as herein before directed againſt their ſecurities.

or property only of those attached.

III. And be it further enacted by the authority aforeſaid, That, when any churchwarden or churchwardens, of the reſpective pariſhes of this iſland, ſhall complain to the ſaid ſupreme court of judicature againſt any conſtable or conſtables, of the ſeveral pariſhes of this iſland, for neglecting or refuſing to do his or their duty, agreeable to the true intent and meaning of this act, and ſhall be put to any expence in proſecuting ſuch conſtable or conſtables for ſuch neglect or refuſal, it ſhall and may be lawful for the ſaid ſupreme court of judicature to adjudge and award ſuch conſtable or conſtables, againſt whom ſuch complaint ſhall be made, to pay, to the churchwarden or churchwardens complaining, all coſts out of purſe which he or they ſhall have been put to in proſecuting ſuch conſtable or conſtables (to be taxed by one of the judges of the ſaid ſupreme court), and to compel payment of the ſame by attachment, writ of execution, or *venditioni exponas*, or by any other method which the ſaid court ſhall think proper.

Conſtables to pay churchwardens all expences of proſecution.

How payment to be enforced.

IV. And be it further enacted by the authority aforeſaid, That in caſe any collecting conſtable or conſtables, of the ſeveral pariſhes of this iſland, ſhall neglect or refuſe to render a juſt and true account, upon oath, to the churchwarden or churchwardens of the reſpective pariſhes of this iſland, in manner as herein before directed (which oath the churchwarden or churchwardens, of each and every pariſh in this iſland, is and are hereby empowered and required to adminiſter), or, in caſe ſuch conſtable or conſtables hath or have not received any money on account of the rolls delivered to him or them, ſuch conſtable or conſtables are hereby required to make oath thereof before the churchwarden or churchwardens; and ſuch collecting conſtable or conſtables neglecting or refuſing to render ſuch account, or make ſuch oath as aforeſaid, ſhall, for every ſuch offence, forfeit the ſum of ten pounds; to be recovered and levied by diſtreſs, and ſale of the offender's goods and chattels, by warrant under the hands and ſeals of two juſtices of ſuch pariſh or precinct; and the ſame ſhall be paid into the hands of the acting churchwarden of the ſaid pariſh, for and to the uſe of the poor of ſuch pariſh: And in caſe no goods or chattels of ſuch conſtable or conſtables, ſo offending as aforeſaid, can be found ſufficient to pay ſuch penalty, then, and in ſuch caſe, ſuch juſtices ſhall commit ſuch conſtable or conſtables to gaol, there to remain, without bail or mainpriſe, till he or they ſhall have paid ſuch penalty.

Conſtables neglecting to account on oath,

or to ſwear they have not received monies,

to forfeit 10*l.*

Recovery and application thereof.

In failure of diſtreſs, conſtables to be imprisoned till fine paid.

CAP.

CAP. X.

An act to inflict further punishment on persons receiving stolen goods, knowing them to be stolen.

[19th November, 1774.]

Preamble.

WHEREAS there are no laws, now in force in this iſland, ſufficient to deter or prevent any perſon or perſons from the infamous practice of receiving ſtolen goods; and, for want of wholeſome proviſions in that caſe, many white perſons, as well as free mulattoes, Indians, and negroes, do carry on a very pernicious trade, by receiving and buying, or taking in by way of pawn or pledge, for a trifling conſideration, gold and ſilver plate, and jewels, and other goods and chattels, wares, and merchandiſes, which have been felonioufly taken: And whereas ſuch receivers do alſo harbour and conceal the offenders after the perpetration of ſuch facts, and do encourage ſlaves and domeſtic ſervants to rob and plunder their maſters or owners, and to commit other enormities: To the end, therefore, that theſe miſchiefs may be hereafter prevented, and the wicked promoters and abettors thereof may be brought to exemplary puniſhment for the ſame, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's ſaid iſland, and it is hereby enacted and ordained by the authority of the ſame, That, from and after the thirty-firſt day of December, in the preſent year of our Lord one thouſand ſeven hundred and ſeventy-four, any perſon or perſons who ſhall receive or buy, or take in by way of pledge, pawn, or otherwiſe, any gold or ſilver plate, jewels, wearing apparel, furniture, ſugar, rum, melaſſes, coffee, or any other goods, chattels, wares, or merchandiſe whatſoever, knowing the ſame to be felonioufly taken or ſtolen by any white perſon, or by any free mulatto, free negro, or free Indian, or by any ſlave or ſlaves, from any perſon or perſons, or ſhall receive, entertain, maintain, harbour, aid, abet, or conceal, any ſuch felons or thieves, or offenders as aforeſaid, knowing them to be ſuch, ſhall be deemed, taken, and adjudged, acceſſary or acceſſaries to the ſaid felony or felonies, and equally criminal with the perpetrators thereof, and, being of any or either of the ſaid offences duly and legally convicted in his majeſty's ſupreme court of judicature, or in any of the courts of aſſize in the ſaid iſland, ſhall incur and ſuffer the pains of death, in like manner as is provided for felons convicted as principals.

Receivers of ſtolen goods, and harbourers of thieves, knowing them to be ſo, to ſuffer as principals in felony.

II. And foraſmuch as the counſellors and contrivers of theft and other felonies, and the receivers of goods that have been ſtolen, are the principal cauſes of the commiſſion of ſuch felonies; and as the law now is, no acceſſary can be convicted, or ſuffer any puniſhment, where the principal

is

is not attainted, or hath the benefit of his clergy: Be it therefore enacted by the authority aforeſaid, That, from and after the ſaid thirty-firſt day of December, in the ſaid year of our Lord one thouſand ſeven hundred and ſeventy-four, if any principal offender ſhall be convicted of any felony, or ſhall ſtand mute, or peremptorily challenge above the number of twenty perſons returned to ſerve of the jury, it ſhall and may be lawful to proceed againſt any acceſſary, either before or after the fact, in the ſame manner as if ſuch principal felon had been attainted thereof, notwithſtanding ſuch principal felon ſhall be admitted to the benefit of his clergy, pardoned, or otherwiſe delivered before attainder; and every ſuch acceſſary ſhall ſuffer ſuch puniſhment, if he or ſhe be convicted, or ſhall ſtand mute, or peremptorily challenge above the number of twenty perſons returned to ſerve of the jury, as he or ſhe ſhould have ſuffered if the principal had been attainted.

Accessaries may be convicted, though principals are not.

III. And forasmuch as buyers and receivers of ſtolen goods do oftentimes convey away and conceal the principal felons, ſo that they cannot be convicted of ſuch principal felony, and thereby ſuch buyers and receivers have eſcaped all manner of puniſhment; which hath greatly encouraged the buying and receiving of ſuch ſtolen goods: For remedy whereof, Be it further enacted by the authority aforeſaid, That, from and after the ſaid thirty-firſt day of December, in the year of our Lord one thouſand ſeven hundred and ſeventy-four, it ſhall and may be lawful to proſecute and puniſh every ſuch perſon and perſons buying or receiving any ſtolen goods, knowing the ſame to be ſtolen, as for a miſdemeanor, although the principal felon be not before convicted of the ſaid felony; which ſhall exempt the offender from being puniſhed as acceſſary, if the principal ſhall be afterwards convicted.

Where thief cannot be found, receiver may be proſecuted for a misdemeanor.

CAP. XI.

An act for making free and rewarding a negro woman ſlave named Attea, the property of the heirs of George Williams, eſquire, deceaſed, and for paying her value.

[19th November, 1774.]

WHEREAS, ſome time in the month of Auguſt, in the preſent year of our Lord one thouſand ſeven hundred and ſeventy-four, a dangerous conſpiracy was formed by ſome ſlaves in the pariſh of Weſtmorland, to raiſe [*riſe*], and kill the white people in the ſaid pariſh, and a general maſſacre was intended, in caſe the conſpirators had ſucceeded in their attempts: And whereas the ſaid Attea did give information of ſuch conſpiracy, whereby the lives of a great number of white perſons were undoubtedly ſaved, and another general rebellion, in all probability, prevented: In recompenſe whereof, and as an encouragement to other ſlaves to behave with the ſame honeſty and fidelity on the like occaſions, May it pleaſe your majeſty that it may be enacted; Be it therefore

Preamble.

fore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That the ſaid negro woman ſlave named Attea be, and ſhe is hereby, manumiſed and ſet free from all manner of ſlavery whatſoever; and that George Scott, eſquire, the receiver-general, or the receiver-general for the time being, do pay to the repreſentatives of the ſaid George Williams the ſum of one hundred pounds, current money of Jamaica, in full ſatisfaction for the ſaid negro woman named Attea; and that the ſaid George Scott, or the receiver-general for the time being, do alſo pay to the ſaid negro woman named Attea, on the firſt day of January annually, the ſum of five pounds during her life, out of any monies in his hands unappropriated.

Attea manumitted.

100*l.* to be paid for her freedom.

Annuity of 5*l.* granted her.

CAP. XII.

DISALLOWED. *An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes; for ſubſiſting for one year the officers and ſoldiers of his majeſty's fiftieth and ſixtieth regiments of foot, quartered in this iſland.*—[3d December, 1774.]

CAP. XIII.

REPEALED. *An act to reſtrain the inhabitants of the pariſh of Weſtmorland, in the county of Cornwall, in this iſland, from working any carriages of burthen, but with broad wheels, on the roads in the ſaid pariſh.*—[3d December, 1774.]

CAP. XIV.

An act to repeal part of an act entitled, "An act to explain and enforce the last will and testament of John Wolmer, late of Kingston, goldsmith, deceased; and rendering his donation to the said town more useful; and for erecting and establishing a free-school in the said town;" and also to amend the same act; and to add to the number of trustees of Wolmer's free-school thereby erected; and to enable the said trustees to appoint a treasurer.

[3d December, 1774.]

Preamble.

9 Geo. II. cap. 6.

WHEREAS, by a law paſſed in the year of our Lord one thouſand ſeven hundred and thirty-ſix, entitled, *An act to explain and enforce the laſt will and teſtament of John Wolmer, late of Kingston, goldſmith, deceaſed; and rendering his donation to the ſaid town more uſeful; and for erecting and eſtabliſhing a free-ſchool in the ſaid town,* it is, amongſt other things, therein enacted as follows: Whereas John Wolmer, late of Kingſton, goldſmith, deceaſed, by his laſt will and teſtament in writing, bearing date the one and twentieth day of May, in the year of our

Recital of clause 1 of the above act.

our Lord one thouſand ſeven hundred and twenty-nine, duly proved and recorded in the ſecretary's office of this iſland, did give and deviſe, after ſome ſmall legacies therein mentioned, the reſt and reſidue of his eſtate for the foundation of a free-ſchool in the pariſh where he ſhould happen to die, and, on the nine and twentieth day of June following, departed this life in the ſaid town and pariſh of Kingſton, where he had reſided upwards of twenty years: And whereas it appears, that the ſaid will is defective, in regard no proviſion is made for a houſe, nor hath the teſtator given any directions, or preſcribed any rules, for the good order and management of the ſaid free-ſchool; whereby it becomes neceſſary to have the ſame ſettled on a proper foundation, eſpecially ſince ſeveral well-diſpoſed perſons have offered to ſubſcribe a conſiderable ſum to render the ſame more uſeful and complete, and others may be excited by their good example, ſo that in time it may become a very conſiderable and beneficial ſeminary of learning for youth: We, therefore, humbly beſeech your moſt excellent majeſty that it may be enacted, and it is hereby enacted and ordained by the preſident, council, and aſſembly, of this your majeſty's iſland of Jamaica, That the preſident, or commander in chief for the time being, the honourable the four ſenior counſellors for the time being, the honourable the ſpeaker of the aſſembly, and the honourable the chief juſtice for the time being, and the *cuſtos rotulorum*, the four ſenior magiſtrates, and the rector, of the town of Kingſton for the time being, and ſix of the inhabitants of the ſaid pariſh, ſuch as the freeholders ſhall annually elect, together with Michael Atkins, the ſurviving executor of the ſaid John Wolmer, ſhall be and are hereby appointed truſtees for the direction and management of the ſaid donation, and of all ſubſcriptions, donatives, deviſes, and bequeſts, that ſhall hereafter be given to and for the uſe of the ſaid free-ſchool; ſeven of which truſtees ſhall be a *quorum* to do buſineſs: Provided always, That the preſident, or commander in chief for the time being, the four ſenior counſellors, the ſpeaker of the aſſembly for the time being, the chief juſtice for the time being, the cuſtos of Kingſton for the time being, or any two of them, ſhall be of that number: And whereas there is no day appointed by the ſaid law for the annual meeting of the freeholders, to elect the ſaid ſix of the inhabitants of the ſaid pariſh, for the purpoſes and uſes in the ſaid law expreſſed and contained: And whereas the perſons appointed, by the ſaid recited proviſo in the ſaid act, are perſons holding certain offices of honour for the time being, and whoſe reſidences are not neceſſarily in or near the ſaid town of Kingſton, where the ſaid ſchool is erected, but are uſually and for the moſt part remote, or at an inconvenient diſtance from the ſame; by all which means it hath been found impracticable to obtain and procure meetings of the ſaid truſtees, ſufficiently frequent to anſwer the good intentions of the ſaid law, and to promote the utility and benefit of the ſaid donation: And whereas it will greatly advance theſe good ends, to appoint a larger number of truſtees of the ſaid free-ſchool, to make the *quorum* of the ſaid truſtees to conſiſt of ſuch perſons as, by their ſtation and

ſituation, ſhall not render ſuch frequent meetings difficult to be procured; and to aſcertain the day whereon the freeholders of the ſaid pariſh ſhall annually meet, to chooſe the ſix annual truſtees appointed by the ſaid act to be choſen: And whereas the enabling the ſaid corporation annually, or as often as they ſhall have occaſion, to appoint a treaſurer, with proper powers, and under proper reſtrictions, will likewiſe greatly conduce to the good purpoſes intended by the ſaid law, and to the ſafety and improvement of the funds of the ſaid corporation: We, your majeſty's moſt dutiful and loyal ſubjects, the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted, and be it enacted by the governor, council, and aſſembly, and it is hereby enacted by the authority of the ſame, That ſo much of the ſaid recited clauſe in the in the ſaid law whereby it is provided, That the preſident, or commander in chief for the time being, the four ſenior counſellors, the ſpeaker of the aſſembly for the time being, the chief juſtice for the time being, the cuſtos of Kingſton for the time being, or any two of them, ſhall be of the *quorum* of the ſaid truſtees to do buſineſs, be, and the ſame is and ſtands hereby, repealed, to all intents and purpoſes whatſoever.

Proviso to recited clause repealed.

II. And be it enacted by the authority aforeſaid, That the repreſentatives for the town and pariſh of Kingſton, for the time being, in the honourable houſe of aſſembly, and the churchwardens and veſtrymen for the ſaid town and pariſh of Kingſton for the time being, ſhall be and are hereby appointed truſtees of Wolmer's free-ſchool, and for the future are, and ſhall be, incorporated into and deemed and taken as part of the corporation inſtituted by the ſaid act, and added to the ſeveral and reſpective truſtees in the ſaid act appointed; and that they ſhall have and enjoy the like powers and capacities, and be ſubject to the like duties and penalties as the ſaid truſtees, nominated and appointed by the ſaid in part recited act, are thereby endued with and ſubjected to: And that the ſix annual truſtees, inhabitants of the ſaid pariſh, to be elected by the freeholders annually by virtue of the ſaid law, ſhall be annually elected by the freeholders of the ſaid pariſh on the ſecond Thurſday in the month of January, in every year, when they are by law ſummoned and met to chooſe veſtrymen and other parochial officers for the current year in the ſaid pariſh.

Additional trustees added to those appointed by recited act,

and invested with the like powers.

Day for electing the six inhabitants to be trustees.

III. And be it further enacted, That the ſaid truſtees of Wolmer's free-ſchool, at their firſt meeting after the ſaid ſecond Thurſday in January in every year, which ſhall be on the third Thurſday in January in every year, ſhall elect and chooſe ſome reputable houſekeeper, inhabiting the ſaid pariſh, to be the treaſurer to the ſaid corporation for the current year; whoſe duty it ſhall be, to attend at all meetings of the ſaid corporation, to keep a ſet of books containing the accounts of the ſaid corporation, and to produce the ſame at every meeting of the ſaid corporation, if demanded by any member thereof then preſent, and to receive and collect the income and

A treasurer to be elected on the third Thursday in January in every year. His duty.

funds

funds of the ſaid corporation, and all ſums that ſhall become due, or be left or given, unto the ſame, and to give releaſes and diſcharges for the ſame for the ſaid corporation; and alſo, ſo and in ſuch manner to leaſe or rent out all lands and negroes of or belonging, or which ſhall hereafter belong, to the ſame corporation; and alſo, ſo and in ſuch manner to place out at intereſt, for the benefit of the ſaid corporation, all ſums by him received, or to pay and advance the ſame to ſuch perſons, and for ſuch purpoſes, and upon ſuch ſecurities, as by any order of a meeting of the ſaid truſtees, confirmed by the ſucceeding meeting thereof, he ſhall be directed to do: Provided always, That all bonds and ſecurities for any ſum or ſums of money of or belonging to the ſaid corporation, and all leaſes made of the lands or ſlaves of the ſame, be made and taken in the name of the truſtees of Wolmer's free-ſchool only; and that all ſum and ſums of money made payable or reſerved upon all ſuch bonds, ſecurities, and leaſes, be made payable and reſerved unto the ſaid truſtees of Wolmer's free-ſchool only: And the treaſurer, ſo elected, ſhall have the cuſtody of the ſeal of the ſaid corporation, and ſhall deliver the ſame to the ſucceeding treaſurer; and ſhall be accountable to the ſaid corporation for all his receipts, payments, and diſburſements, had or made during the time that he remained or was treaſurer as aforeſaid; and ſhall alſo be removable, at any time, by an order of any meeting of the ſaid corporation, confirmed by the next ſubſequent meeting thereof.

Securities and leases to be in the corporate name.

Treasurer to keep the seal;

to be accountable,

and removable.

IV. And be it enacted by the authority aforeſaid, That if it ſhall ſo happen that ſuch treaſurer ſhall die or depart from this iſland, or be removed from his office of treaſurer, in the manner aforeſaid, it ſhall and may be lawful to and for the ſaid corporation, and they are hereby directed and required, at their next meeting after ſuch death, departure, or removal, to elect and appoint ſome other reputable houſekeeper, in the ſaid pariſh, to be treaſurer to the ſaid corporation, in the room of ſuch treaſurer ſo dying, departing from this iſland, or removed; which perſon, ſo elected, ſhall be and continue treaſurer of the ſaid corporation till the ſucceeding annual election of treaſurer, as herein before is directed, and no longer (unleſs he ſhall be again elected or appointed), and ſhall be ſubjected to the like duties, and liable in all reſpects, and have the ſame powers, as the treaſurer annually to be elected by virtue of this act.

In case of the death or removal of the treasurer, another to be appointed.

V. And be it enacted, That the treaſurer of the ſaid corporation ſhall have and receive, and be intitled to, ſuch ſalary as, by an order of the firſt meeting of the ſaid corporation after his election, ſhall be fixed and aſcertained.

Corporation to appoint treasurer's salary.

VI. And, for regulating the appointment of meetings of the ſaid corporation, be it enacted by the authority aforeſaid, That all meetings of the ſaid corporation, except the ſaid meeting hereby appointed on the third Thurſday in January in every year, ſhall be convened by public advertiſement,

Public notice to be given of meetings.

ment, ſigned by the treaſurer, or by any three of the ſaid truſtees; which public notice ſhall be at the leaſt five days before ſuch day of meeting.

Place and hour of meetings.

VII. And be it enacted, That all meetings of the ſaid truſtees ſhall be held at the free-ſchool houſe of the ſaid corporation, or at the church in the town of Kingſton, according to the notice given, between the hours of eight and twelve of the clock in the forenoon.

Nine of the truſtees to form a *quorum*.

VIII. And be it enacted, That any nine of the whole number of truſtees, appointed by this act and by the ſaid in part recited act, ſo convened and and met, ſhall be and are hereby appointed a *quorum*, to make and confirm orders, and to do and tranſact all buſineſs of and concerning the ſaid corporation; any thing in the ſaid in part recited act to the contrary hereof notwithſtanding.

CAP. XV.

EXPIRED. *An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes.*—[24th December, 1774.]

CAP. XVI.

EXPIRED. *An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.*—[24th December, 1774.]

CAP. XVII.

EXPIRED. *An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.*—[24th December, 1774.]

CAP. XVIII.

An act for regulating the manumiſſion of negro, mulatto, and other ſlaves; and to oblige the owners to make a proviſion for them during their lives.—[24th December, 1774.]

Preamble.

WHEREAS the frequent manumiſſion of negro, mulatto, and other ſlaves, by perſons not making a proviſion for them, is a great nuiſance to the community, and promotes frequent thefts: For the remedy thereof, May it pleaſe your majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the

the authority of the ſame, That, from and after the paſſing this act, no perſon or perſons whatſoever, ſave and except the legiſlative body of this iſland, ſhall have power or authority to manumiſe, enfranchiſe, or ſet free, either by deed, will, or otherwiſe, any negro, mulatto, ſambo, or other ſlave whatſoever, until ſuch perſon or perſons ſhall have firſt given good and ſufficient ſecurity, to the churchwarden or churchwardens of the pariſh in which the owner of ſuch negro, mulatto, or ſambo, ſhall reſide, for the payment, to ſuch negro, mulatto, or ſambo, [*of*] an annual ſum of five pounds, for and during the natural life of ſuch negro, mulatto, or ſambo, that ſhall be ſo manumiſed and ſet free.

No ſlave to be ſet free until ſecurity be entered into for allowing ſuch ſlave 5*l. per ann.*

CAP. XIX.

An act to prevent the ſmuggling foreign produce into this iſland.—[24th December, 1774.] EXPIRED.

CAP. XX.

An act for licenſing hawkers and pedlars; and for applying the monies, to ariſe from granting ſuch licenſes, towards the ſupport and the maintenance of the poor of the pariſhes where ſuch licenſes are granted.—[24th December, 1774.] EXPIRED.

CAP. XXI.

An act for regulating the proceedings in the courts of law, relating to bills of exchange.—[24th December, 1774.]

Preamble.

WHEREAS doubts have ariſen whether any damages or re-exchange can be recovered on bills of exchange upon their being noted, although afterwards paid at the time the ſame became due: In order, therefore, to remove ſuch doubts, May it pleaſe your moſt excellent majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly of this iſland, and it is hereby enacted and ordained by the authority of the ſame, That, upon all bills of exchange which ſhall be returned under proteſt for non-payment thereof, the re-exchange and damages ſhall be recovered; but that no action ſhall be permitted to be brought, or allowed to lie, within any court of this iſland, on any foreign bill of exchange, for damages or re-exchange, until the ſame has been proteſted for non-payment; any thing in the act entitled, *An act for the reducing the intereſt of money on all future contracts, and for the advancing the credit of bills of exchange*, or in the act entitled, *An act to eſtabliſh the credit of foreign bills of exchange, by compelling the payment of intereſt thereon after judgment*, or any other act, law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Re-exchange, &c. to be recovered on bills under proteſt.

No action to lie on foreign bills of exchange until proteſted.

12 *Geo.* II. *cap.* 3.
28 *Geo.* II. *cap.* 2.

CAP.

CAP. XXII.

An act to repeal an act entitled, "An act for building a bridge over the Rio Cobre;" and for building a bridge over the Rio Cobre, in the parish of St. Catherine; and for other purposes therein mentioned.

[24th December, 1774.]

Preamble.

WHEREAS an act of the lieutenant-governor, council, and assembly of this island, entitled, *An act for building a bridge over the Rio Cobre*, passed the twenty-third day of December, which was in the year of our Lord one thousand seven hundred and sixty-seven, is found not to answer the good purposes for which it was intended: We, therefore, your majesty's most dutiful and loyal subjects, the assembly of this your majesty's island of Jamaica, do most humbly beseech your majesty that it may be enacted; Be it therefore enacted by the governor, council, and assembly, of this your majesty's said island, and it is hereby enacted by the authority of the same, That the said act, and every matter, clause, and thing therein contained, be, and the same is hereby, annulled, repealed, and made void, to all intents and purposes whatsoever; any thing therein contained to the contrary in anywise notwithstanding.

Repeal of recited act.

II. And whereas the building a bridge over the said river called the Rio Cobre, from some convenient place near the town of St. Jago de la Vega, in the parish of St. Catherine, to the opposite shore in the said parish, will be of great utility and advantage, not only to the inhabitants of the said parish, but to all your majesty's subjects passing and re-passing those parts: Be it therefore enacted and ordained by the authority aforesaid, That the honourable sir Charles Price, baronet, speaker, and the speaker of the assembly for the time being, the honourable Edward Webley, esquire, chief justice, or the chief justice for the time being, James Lewis, James Trower, Jasper Hall, Thomas French, Simon Taylor, Thomas Fearon, William Harvey, Scudamore Winde, Thomas Brooks, Richard Lewing, Thomas Harrison, James Pinnock, Benjamin Lyon, Samuel Howell, William Mitchell, Samuel Smith, and John Hanson, esquires, shall be, and they are hereby appointed, trustees for putting this act into execution, so far as relates to the building a bridge over the Rio Cobre, and the laying out a road to and from the said bridge to the Ferry, in St. Andrew; and the said trustees hereby appointed, or that shall hereafter be appointed by virtue of this act, or any seven or more of them, shall [*be*], and they are hereby appointed, trustees for putting this act in execution: And the said trustees hereby appointed, or that shall hereafter be appointed by virtue of this act, or any seven of them, shall have full power and authority, and they are hereby authorized and empowered, to design, direct, order, and build,

Trustees appointed for building the bridge, and laying out a road to the Ferry.

build, a bridge croſs the river called Rio Cobre, near the negro-houſes on the pen of Jannet Sadler Hals, widow, on the ſouth-weſterly ſide of the Rio Cobre, near the ſaid town of St. Jago de la Vega, or at ſome convenient place near the ſaid place, unto the oppoſite ſhore in the ſaid pariſh, as aforeſaid: And that the ſaid bridge, when built, ſhall be a free and public paſſage for all and every perſon or perſons, and his, her, and their carriages, cattle, goods, and effects, without paying any toll or duty whatſoever for the ſame.

Bridge to be free to all persons.

III. And be it further enacted by the authority aforeſaid, That the ſaid truſtees hereby appointed, or that ſhall hereafter be appointed by virtue of this act, or any ſeven or more of them, be, and they are hereby, authorized and empowered, within the ſpace of ſixty days next after the paſſing of this act, to view the lands joining on the ſaid river, at or near the ſaid place, and to aſſign and lay out the place from whence to build the ſaid bridge unto the oppoſite ſhore, and in what manner the ſaid bridge ſhall be erected and built, and the ways and paſſages to and from the ſame made, widened, and enlarged.

Trustees to view the lands, and direct the situation of the bridge.

IV. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid truſtees hereby appointed, or that ſhall hereafter be appointed by virtue of this act, or any ſeven or more of them, to agree with the owner or owners, occupier or occupiers of, and other perſons intereſted in, any lands or grounds they ſhall judge fit to be purchaſed for the purpoſes aforeſaid, and purchaſe the ſame for ſuch reaſonable price or conſideration as, between them and the ſaid owners and occupiers of, and other perſons intereſted in the ſame, ſhall be agreed upon, and pay for the ſame out of the monies to be collected and received by them, in manner herein after mentioned.

They are to purchase such lands as they think necessary.

V. And be it further enacted by the authority aforeſaid, That the right and property of the ſaid bridge, to be built by virtue of this act, ſhall be veſted in the truſtees hereby appointed, or that ſhall hereafter be appointed, to put this act in execution; and they, or any ſeven or more of them, are hereby authorized and empowered to bring actions, and alſo to prefer bills of indictment, againſt any perſon or perſons who ſhall wilfully and maliciouſly blow up, pull down, or deſtroy, the ſaid bridge, or any part thereof; and the offender or offenders, being lawfully convicted of ſuch offence, ſhall be adjudged guilty of felony, and ſuffer death as a felon.

Property of the bridge vested in the trustees.

Persons wilfully damaging the bridge to suffer as felons.

VI. And be it further enacted by the authority aforeſaid, That the ſaid truſtees appointed, or to be appointed, to put this act in execution, or any ſeven or more of them, ſhall, within thirty days after the paſſing hereof, meet at the court-houſe in the town of St. Jago de la Vega, between the hours of ten and twelve in the forenoon (public notice being firſt given, in any

Time and place of first meeting of trustees, to receive proposals, and enter into contracts.

any of the news-papers of the day appointed, fourteen days at leaſt before ſuch intended meeting), in order to receive propoſals, and to make and enter into contracts and agreements with any perſon or perſons, for the building the ſaid bridge, and for furniſhing and ſupplying materials for the ſame, and to do all ſuch matters and things as ſhall or may be neceſſary for carrying on and effecting the purpoſes aforeſaid; and ſhall then adjourn themſelves, and afterwards meet at any other time or times at the ſaid town of St. Jago de la Vega, or elſewhere, as they the ſaid truſtees, or any ſeven or more of them, ſhall think proper and convenient, and as often as ſhall be neceſſary for putting this act in execution: But if there ſhall not appear, at any meeting or meetings which ſhall be appointed by the ſaid truſtees, a ſufficient number of truſtees to act at ſuch meeting or meetings, and to adjourn to any other day, then, and in ſuch caſe, the treaſurer for the time being (which ſaid treaſurer the ſaid truſtees, or any ſeven or more of them, at their firſt meeting after the paſſing this act, are hereby empowered to chooſe and appoint out of their own body, and afterwards, in caſe of the death or other diſqualification of ſuch perſon, to chooſe and appoint any other in his ſtead, out of their own body, as they ſhall think proper) ſhall, and he is hereby required to, appoint another meeting of the ſaid truſtees, and ſhall give public notice thereof as aforeſaid: And the ſaid truſtees, at their firſt meeting, and at all other ſubſequent meetings, ſhall defray their own charges and expences.

They may appoint future times and places of meeting.

When there is not a ſufficient number of trustees preſent, the treaſurer (who is to be appointed at the firſt meeting) may call another meeting.

Trustees to defray their own expences.

VII. And be it further enacted by the authority aforeſaid, That the ſaid truſtees appointed, or to be appointed, to put this act in execution, ſhall, from time to time, cauſe to be fairly written, and entered in one or more book or books, to be kept for that purpoſe, minutes of all receipts, payments, debts, orders, and contracts, had, made, contracted, or entered into, for or upon account of the building the ſaid bridge, and all other the proceedings and tranſactions of the ſaid truſtees.

Trustees to keep minutes of all receipts, payments, &c.

VIII. And, to the end that the ſaid bridge may be built with the beſt materials, and in the cheapeſt manner, be it further enacted, That all materials to be found, and all work to be done, for building the ſaid bridge, ſhall be by contract; and notice ſhall be given, in one of the news-papers for one month, of what materials are wanting, and of the work required to be done, and for perſons to ſend in their propoſals.

Materials to be purchaſed, and work to be done, by contract.

IX. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the treaſurer appointed, or to be appointed, by virtue of this act, to receive and take, from any perſon or perſons whatſoever, any ſum or ſums of money, not exceeding four thouſand pounds current money of Jamaica, that ſhall or may be voluntarily given, contributed, and engaged and promiſed to be paid by ſubſcription, and for and towards the building of the ſaid bridge, and which monies ſhall, from time

Treaſurer to receive contributions and ſubſcriptions;

to

to time, be paid into the hands of the treaſurer for the time being, to be choſen and appointed as aforeſaid; and ſhall be by him paid and applied, for and towards building the ſaid bridge, in ſuch manner as the ſaid truſtees, or any ſeven or more of them, at their meetings to be had by virtue of this act, ſhall, from time to time, by writing under their hands, direct and appoint.

and to apply them towards building the bridge.

X. And be it further enacted by the authority aforeſaid, That, ſo ſoon as the ſaid bridge, hereby intended to be built over the Rio Cobre, ſhall be erected and built, it ſhall and may be lawful for any juſtice of the peace of the pariſh of St. Catherine, upon application to him made by any ſeven or more of the ſaid truſtees hereby appointed, or that ſhall be appointed, for putting this act in execution, to iſſue his warrant to any lawful conſtable of the ſaid pariſh of St. Catherine, to ſummon a jury of twelve good and lawful men, perſonally to be and appear at ſuch time and place as in the ſaid warrant ſhall be expreſſed; who, upon their oaths (which oaths the ſaid juſtice is hereby empowered and authorized to adminiſter), ſhall, with moſt conveniency to the public, and leaſt prejudice or damage to any particular perſon, view and lay out a road to and from the ſaid bridge, ſo hereby intended to be built, into the king's road, neareſt to the toll-gate or turnpike at the Ferry; which ſaid road, ſo laid out, ſhall be afterwards known, deemed, and taken, as and for the king's highway: And in caſe any diſpute ſhall ariſe, between the ſaid truſtees and any of the owners or occupiers of any of the lands through which the ſaid road is intended to be made by virtue of or under the authority of this act, as to the value of the lands through which the ſaid new road ſhall be ſo laid out, the ſaid jury ſhall, at the time of laying out the ſame, value and appraiſe ſuch lands, and alſo what damages ſuch owners and occupiers thereof ſhall or will ſuſtain by reaſon or means of taking up ſuch fences as ſhall be neceſſary for making the ſaid road; and the valuation and appraiſement thereof ſhall be paid by the ſaid truſtees, or any ſeven or more of them, out of the monies to be collected and raiſed by virtue of this act.

Juſtice of the peace, on application of trustees, to iſſue his warrant to ſummon a jury;

who are to lay out a road from the bridge to the ferry.

Diſputes ariſing about lands, jury to value them.

Valuation to be paid by truſtees.

XI. And whereas the road leading from the Ferry, in the pariſh of St. Andrew, over Hunt's Bay, leading to the town of Kingſton, is often in a ruinous and founderous condition, ſo as to be dangerous and impaſſable for carriages, and paſſengers on horſeback; and therefore it is neceſſary that a new road ſhould be made, with more conveniency and leſs danger to the inhabitants of this iſland: Be it enacted and ordained by the authority aforeſaid, That the honourable Philip Pinnock, Daniel Moore, William James Hall, Jaſper Hall, Thomas French, Simon Taylor, James Crean, Matthew Wallen, William Gray, Digby Denniſs, William Harris, Malcolm Laing, and Thomas Hibbert junior, eſquires, ſhall be, and are hereby appointed, truſtees for making a road leading from the Ferry, as aforeſaid, to the church in the town of Kingſton.

Truſtees appointed for making a road from the Ferry to Kingſton;

who are to enter into any persons lands, and lay out said road.

XII. And it is hereby further enacted and declared, That, from and after the passing this act, the said trustees, or any five or more, shall and may lawfully enter into the lands of any persons, and lay out, in the most convenient direction, and with the least damage to the owners and occupiers thereof, a road leading from the Ferry, as aforesaid, to the town of Kingston aforesaid; which road, being so laid out, shall be deemed and taken to be the road by this act intended to be made, and shall be, and be used as, a public road or king's highway: And in case any dispute shall happen to arise, between the said trustees and any of the owners and occupiers of the said lands through which the said road is intended or directed to be made by virtue of or under the authority of this act, touching the convenient direction and laying out the said new road, it shall and may be lawful to and for any justice of the peace for the parishes of St. Andrew or Kingston respectively, and such justice is hereby required, at the request of the said trustees herein before appointed, or that shall hereafter be appointed, or any five or more of them, or of the owners or occupiers of lands as aforesaid, to issue his warrant to any constable of the parish where such dispute shall arise, to empannel and warn a jury to appear before him the said justice, consisting of twelve persons, impartially named and chosen in the said parishes of St. Andrew and Kingston respectively, where such dispute shall happen; which said jury, upon their oaths, to be administered by the said justice (who is hereby empowered and required to administer the same), shall lay out such road, in, through, and over, such lands where such difference shall happen, according to the best of their skills and judgments, with most conveniency to the public, and least prejudice or damage to any particular person, and according to the true intent and meaning of this act, and shall make return thereof, under their hands and seals, to the said justice; and the said justice shall certify the same under his hand and seal to the said trustees; which road, so to be laid out by such jury, and returned as aforesaid, shall be deemed and taken to be the road intended and directed to be made by virtue of this act, and to be a public road or king's highway.

Disputes arising about laying out any part of the road, a jury of the parish to be summoned;

who are to lay out that part of the road,

and make return to the justice.

Penalty on justices, constables, and jurymen neglecting their duty.

Application and recovery thereof.

XIII. And be it further enacted by the authority aforesaid, That if any justice, constable, or juryman, shall neglect his duty herein, every such justice shall forfeit the sum of fifty pounds, and every constable and juryman the sum of five pounds, for every offence: Which said forfeitures shall be applied to the use of the said road; and be recoverable against such constable or juryman, or any of them, by warrant of distress, to be issued under the hand and seal of any one justice of the peace; and against such justice, by bill, plaint, or information, in the supreme court of judicature of this island; any law, custom, or usage, to the contrary in anywise notwithstanding.

XIV. And whereas the present road leading from Halfway-Tree church, in the parish of St. Andrew, towards the Ferry, is become very bad from

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the many repeated floods, and is now a deep ſandy gully, and incapable of being repaired: And whereas a much ſhorter and better road may be laid out: Be it enacted by the authority aforeſaid, That the laſt named truſtees appointed by this act, or any five or more of them, may, and they are hereby required to, lay out a new road from the ſaid church at Halfway-Tree, by the neareſt and beſt way, to lead from the ſaid church at Halfway-Tree into the new road propoſed to be made from the Ferry to the town of Kingſton, under the ſame rules and regulations as the ſaid laſt-mentioned truſtees are under for carrying this act into execution: And that, after ſuch road, leading from Halfway-Tree church into the new propoſed road from Kingſton to the Ferry, is laid out, the juſtices and veſtry of the pariſh of St. Andrew are hereby empowered to aſſeſs the inhabitants of the ſaid pariſh of St. Andrew, to furniſh a ſufficient number of negroes to open and make ſuch road, and to ditch and fence both ſides of ſuch road as may be neceſſary; and the ſaid road ſhall be deemed and adjudged to be a public road.

A new road to be laid out from the church at Halfway-Tree, into the new road from the Ferry to Kingston.

Juſtices and veſtry of St. Andrew's to raiſe negroes for making and fencing it.

XV. And whereas a certain act of the governor, council, and aſſembly of this iſland, entitled, *An act for veſting in truſtees certain tolls to keep the Ferry, and erect toll-gates or turnpikes on the ſeveral roads leading from St. Jago de la Vega to Paſſage-Fort, in the pariſh of St. Catherine, and to the extreme part of Waterhouſe-Savanna, neareſt to Halfway-Tree, in the pariſh of St. Andrew, for repairing and keeping in repair the ſaid roads; and other purpoſes therein mentioned*, paſſed the ſeventeenth day of February, in the year of our Lord one thouſand ſeven hundred and ſixty-two, will expire on the end of the ſeſſion of aſſembly which will be in the year of our Lord one thouſand ſeven hundred and ſeventy-ſeven: And whereas, after the expiration of the ſaid act, it will be neceſſary that the roads leading from the town of St. Jago de la Vega, in the ſaid pariſh of St. Catherine, to a place called the Ferry, in the pariſh of St. Andrew, and from thence to the town of Kingſton, ſhould be repaired, and kept in repair: And whereas it will alſo be neceſſary that a bridge ſhould be kept and maintained over the Salt River, in order to keep up the communication between the leeward and windward parts of this iſland: In order, therefore, that the ſame may be done, Be it enacted by the authority aforeſaid, That, from and immediately after the expiration of the ſaid laſt herein-before recited act, the honourable ſir Charles Price, baronet, ſpeaker, and the ſpeaker of the aſſembly for the time being, the honourable Edward Webley, eſquire, chief juſtice, or the chief juſtice for the time being, James Lewis, James Trower, Thomas French, Jaſper Hall, Simon Taylor, Thomas Fearon, William Harvey, Scudamore Winde, Thomas Brooks, Richard Lewing, Thomas Harriſon, James Pinnock, Benjamin Lyon, Samuel Howell, William Mitchell, Samuel Smith, John Hanſon, the honourable Philip Pinnock, Daniel Moore, William James Hall, James Crean, Matthew Wallen, William Gray, Digby Denniſs, William Harris, Malcolm Laing, and Tho-

Recited act is expired.

Truſtees appointed for mending and keeping in repair the roads and bridges from Spaniſh-Town to Kingſton.

mas Hibbert junior, eſquires, ſhall be and are hereby nominated and appointed truſtees for the mending and keeping in repair the roads leading from the church in the town of St. Jago de la Vega, in the pariſh of St. Catherine, to the church in the town and pariſh of Kingſton, and alſo the ſaid bridge over the Salt River, or any other bridges; and that they, and the ſurvivors of them, or any ſeven or more of them, or ſuch perſon or perſons as they, or any ſeven or more of them, ſhall authorize and appoint, ſhall cauſe the ſaid roads to be amended and kept in good repair, and ſhall alſo maintain and keep the bridge over the Salt River, or any other bridges, in good and ſufficient repair; and, if need be, to erect and build a new bridge over the ſaid river, of ſtone, brick, or good hard timber, with a floor of plank three inches thick, and the ſides properly railed in; and ſhall maintain, and keep in good and ſufficient repair, the arches already turned over the ſeveral ſprings that croſs the ſaid road leading from the Ferry to Waterhouſe-Savanna.

A toll-gate to be kept at the preſent place.

XVI. And, in order to enable the ſaid truſtees, or ſuch perſon or perſons as they, or any ſeven or more of them, ſhall authorize or appoint, to perform the ſaid works, be it enacted by the authority aforeſaid, That it ſhall be lawful for the ſaid truſtees, or ſuch perſon or perſons as they, or any ſeven or more of them, ſhall appoint and contract with to amend the ſaid roads, and carry this act into execution, to erect, from time to time, a toll-gate at the ſame place the one is now erected.

Rates of toll to be paid.

XVII. And be it further enacted by the authority aforeſaid, That a toll ſhall be paid at the ſaid gate, not exceeding the following rates; *viz.* For every horned beaſt, horſe, mule, or aſs, ſeven pence halfpenny; for ſheep, goats, and hogs, five ſhillings *per* ſcore, and ſo in proportion for a greater or leſs number; for a coach, chariot, four-wheel chaiſe, or cart, at the rate of ſeven pence halfpenny for each beaſt drawing the ſame; for a two-wheel chaiſe with one or more horſes, one ſhilling and three pence; for every waggon, five ſhillings; and for every wain, three ſhillings and nine pence, including the beaſts drawing the ſame: And that no perſon, carriage of any ſort, horſe, mule, aſs, cattle, ſheep, goats, or hogs, paſſing to and fro, ſhall be obliged to pay the ſaid tolls more than once in each day; and that no perſon, carriage, horſes, mules, aſſes, cattle, ſheep, goats, or hogs, ſhall be permitted to paſs through the ſaid toll-gate without having paid the poll [*toll*], not exceeding the above-mentioned rates.

Tolls not to be paid twice in one day.

No perſon or cattle to paſs without payment.

If toll not paid, diſtreſs may be made,

XVIII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid truſtees, or any ſeven or more of them, or ſuch perſon or perſons as they, or any ſeven or more of them, ſhall, under their hands and ſeals, from time to time, nominate and appoint to levy the tolls and duties, hereby laid and required to be paid, upon any ſuch perſon or perſons who ſhall, after demand thereof made, neglect

or refuſe to pay the ſame as aforeſaid, [*to*] levy the ſame by diſtreſs of any horſe or horſes, or other cattle or goods, upon or for which ſuch toll or duty is by this act impoſed and made payable, or by diſtreſs of any other of the goods of ſuch perſon or perſons who ought to pay the ſame, and to detain and keep ſuch goods until ſuch toll or duty, with the reaſonable charges of ſuch diſtraining and keeping, ſhall be paid; and it ſhall and may be lawful to and for ſuch perſon or perſons ſo diſtraining, after the ſpace of four days after ſuch diſtreſs made and taken, to ſell the horſes, other cattle, or goods, ſo diſtrained and taken, returning the overplus (if any be) upon demand, to the owner thereof, after ſuch toll, duty, and reaſonable charges for diſtraining and keeping the ſame, ſhall be deducted and paid. and ſold in four days.

XIX. And be it further enacted by the authority aforeſaid, That if any perſon or perſons whatſoever, owning, renting, or occupying, any land or other tenements near to the turnpike gate or bars which ſhall be erected, continued, or kept up, in purſuance of this act, ſhall knowingly or willingly ſuffer any perſon or perſons whatſoever to paſs through any gate, paſſage, or way, with any coach, chaiſe, chariot, chair, waggon, wain, cart, carriage, horſe, mule, aſs, or any ſort of cattle, whereby the payment of any of the tolls or duties laid in purſuance of this act ſhall be fraudulently avoided, every ſuch perſon and perſons ſo offending, and being thereof convicted, upon oath, before any three or more of the ſaid truſtees (which oath the ſaid truſtees, or any of them, are hereby empowered to adminiſter), ſhall, for every ſuch offence, forfeit and pay, to the ſaid truſtees hereby authorized to put this act in execution, or to the perſon or perſons for the time being for that purpoſe appointed by the ſaid truſtees, the ſum of ten pounds; which ſum, in caſe the ſame be not forthwith paid, ſhall be levied by diſtreſs and ſale of the offender's goods, by warrant under the hand and ſeal, or hands and ſeals, of the ſaid truſtees, or any of them, or of the ſaid juſtices, rendering the overplus to the owner on demand, after deducting the reaſonable charges for making ſuch diſtreſs and ſale, to be ſettled by the ſaid truſtees, or any of them, or by the ſaid juſtice. Perſons enabling paſſengers to elude the toll, to forfeit 10*l.* Recovery thereof.

XX. And be it enacted by the authority aforeſaid, That the ſaid truſtees, or any ſeven or more of them, ſhall, from time to time, and as often as to them, or any ſeven or more of them, ſhall ſeem neceſſary, meet at the old courthouſes of St. Jago de la Vega and Kingſton alternately, or as they ſhall appoint by giving ſeven days notice of ſuch meeting in the public papers, and call before them ſuch contractor or contractors, to inſpect and examine his, her, or their accounts, to inquire into the ſtate and condition of the ſaid roads and bridges, and do all and every other act and thing that they ſhall think neceſſary for carrying this act into execution. Truſtees to give ſeven days notice of meetings for the purpoſes of this act.

XXI. And be it further enacted by the authority aforeſaid, That the ſaid truſtees, or any ſeven or more of them, ſhall, on or before the tenth day Truſtees to advertiſe for

proposals for mending roads.

day of January, next after the expiration of the ſaid herein before-recited act, cauſe public notice to be given, by one or more advertiſements in the public papers of St. Jago de la Vega and Kingſton, that they the ſaid truſtees, or any ſeven or more of them, will meet on the third Tueſday in January aforeſaid, at the old court-houſe in the town of St. Jago de la Vega, to receive propoſals, in writing and ſealed up, from any ſuch perſon or perſons who ſhall be willing to contract and agree with the ſaid truſtees to mend and keep in repair the ſaid road, and alſo to build the ſaid bridge and arches, and provide, maintain, and keep, the ſame in good and ſufficient repair: And it is hereby declared, That the ſaid truſtees ſhall not contract with any perſon or perſons for receiving ſaid tolls, and mending ſaid road, for a term exceeding two years.

Contracts not to exceed two years.

Trustees to accept the most reasonable propoſals.

XXII. And be it further enacted by the authority aforeſaid, That the ſaid truſtees, or any ſeven or more of them, ſhall meet in purſuance of ſuch notice, and ſhall, and they are hereby empowered to, contract and agree with ſuch perſon or perſons whoſe propoſals for carrying this act, or any part thereof, into execution, to them ſhall ſeem moſt reaſonable and advantageous to the public.

Contractor for repairs to collect tolls.

He is to give bond in a limited time,

or contract to be void.

XXIII. And be it further enacted by the authority aforeſaid, That the perſon or perſons, ſo contracting and agreeing with the ſaid truſtees, ſhall be appointed to receive and collect the ſaid tolls reſpectively, according to ſuch contract or contracts; and ſhall alſo, within ten days after ſuch contract or contracts made, enter into a bond or bonds to our ſovereign lord the king, with good and ſufficient ſecurity, to be approved of by the ſaid truſtees, or any ſeven or more of them, with a condition or conditions for the due performance of ſuch their contract or contracts; and any ſuch contract or contracts, without ſuch bond or bonds, are hereby declared null and void.

Contractor to procure materials from any waste grounds.

If not ſufficient, he may, by order of truſtees, get them out of any perſons lands.

XXIV. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the ſaid contractor or contractors to dig, gather, take, and carry away, any gravel, ſtone, ſand, or other materials, out of any ſavanna, waſte and unincloſed or unopened land, river or brook (timber only excepted), in or near which the ſaid ſeveral roads do and ſhall lie, as ſhall be proper for repairing and amending the ſaid roads, without paying any thing for the ſame, ſuch contractor or contractors levelling, or cauſing to be levelled, all ſuch holes and pits where any ſuch materials as aforeſaid ſhall be digged, gathered, or taken, and from whence the ſame ſhall be carried away; and where there is not ſufficient of ſuch materials, ſavannas, waſte, unincloſed or unopened land as aforeſaid, it ſhall and may be lawful for ſuch contractor or contractors, by order of the truſtees, or any ſeven or more of them, to dig and gather the ſame out of the ſeveral ground or grounds of any perſon or perſons (not being the ground

whereon

whereon any houſe or houſes ſtand, garden, yard, or meadow, planted walk or walks, or avenue to an houſe, or any piece or parcel of proviſion ground), where any ſuch materials are or may be found, and from time to time to carry away ſuch and ſo much thereof as the ſaid contractor or contractors, in their reſpective places, ſhall judge neceſſary for repairing and amending the roads aforeſaid; paying ſuch rates for ſuch materials, and for the damage done to the owners and occupiers reſpectively of the grounds where and from whence the ſame ſhall be digged, gathered, or carried away, or over which the ſame ſhall be carried, as the ſaid truſtees appointed to put this act into execution, or any ſeven or more of them, ſhall judge reaſonable: And in caſe of any difference concerning the ſame, between ſuch owners or occupiers and the ſaid truſtees, contractor or contractors, touching ſuch damage as aforeſaid, the ſame ſhall be determined by a jury of the precinct wherein the matter in diſpute ſhall ariſe, and in their reſpective quarter-ſeſſions.

(excepting particular places)

paying for materials and damages.

Differences respecting damage to be determined at the quarter-sessions.

XXV. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the contractor, or contractors, to remove and prevent all annoyances on or in any part of the ſaid roads, or any of them, by filth, dung, rubbiſh, or otherwiſe; to turn any water-courſes, ſinks, or drains, running into, along, or out of, the ſaid roads, or any of them, to the prejudice of the ſame; and to cleanſe any ditch or water-courſe adjoining to the ſaid roads, or any of them; and to cut down, lop, or top, any trees or buſhes growing in the ſaid roads, or any of them, or on the banks or hedges adjacent thereto, and take and carry away the ſame: Provided, That whenever it ſhall be thought neceſſary by the ſaid truſtees, or any ſeven or more of them, or by the contractor or contractors, to turn any water, or make any new drains, the ſame ſhall be, by the ſaid truſtees, contractor or contractors, carried and conducted in ſuch manner as to prevent as much as poſſible any prejudice to the lands of any perſon.

Contractors to remove and prevent annoyances,

turn and cleanse water-courses,

and lop or top trees;

but with the least possible prejudice.

XXVI. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid contractor or contractors to make, or cauſe to be made, cauſeways, and to cut and make drains through any grounds lying contiguous to the ſaid roads, or any of them, and to repair and ſuſtain ſuch bridges as are already built on the ſaid roads, or any of them, and to make and erect any other arches or bridges of brick, timber, or ſtone, upon the ſaid roads, or any of them.

They may also make causeways, cut drains, repair and erect bridges;

XXVII. And be it further enacted by the authority aforeſaid, That ſuch contractor or contractors ſhall have power to erect one houſe in the highway, adjoining near the gate to be erected at or near the ſaid bridge over the Salt River; provided ſuch houſe does not obſtruct a free paſſage along the ſaid road, nor take up a ſpace of ground exceeding a ſquare of twenty feet.

and erect a house at the toll-gate,

of particular dimensions.

XXVIII. And

Toll-gate, house, &c. vested in trustees.

Toll-gate may be removed.

XXVIII. And be it further enacted by the authority aforesaid, That the right, interest, and property, of the turnpike and toll-gate, and toll-house, so to be erected as aforesaid, and every of them, shall be and are hereby invested in the said trustees, or the survivors of them, for the uses and purposes in this act mentioned; and may and shall be removeable by the said trustees, or any seven or more of them, at any of their public meetings, upon application made to them for that purpose by any such contractor or contractors.

Contractor may erect a toll-gate on any part of the road, and must attend it.

XXIX. Provided always, and be it further enacted, That whatsoever person or persons shall become the contractor or contractors, for amending and keeping in repair the road from the town of St. Jago de la Vega to the town of Kingston, shall be at liberty to erect one of the toll-gates, herein mentioned, on any part of the said road, and shall be obliged to attend the same; and also to build and keep in repair said bridge and arches, according to the true intent and meaning of this act.

Six months imprisonment for damaging turnpike, &c.

XXX. And be it further enacted by the authority aforesaid, That no person or persons shall presume wilfully or wantonly to pull down, damage, or destroy, any turnpike, toll-gate, or toll-house, to be erected or built by virtue of this act, under pain of six months imprisonment, upon conviction of said offender in any court of record in this island.

Majority at meetings to decide business, if seven present.

XXXI. And be it further enacted by the authority aforesaid, That, at all meetings of the said trustees, the major part of any seven or more of them then present, shall and may do all and every act, matter, or thing, herein before directed, towards the due execution of this act.

Narrow wheels may be used for repairing the roads.

XXXII. Provided also, and it is hereby enacted, That it shall and may be lawful to and for the said trustees, or any such contractor or contractors for repairing the said roads, or any of them, or for any person or persons employed by or under them, or any of them, to use carts with narrow wheels, for the carriage of stone, lime, sand, or other materials, for mending of the said roads only; any law to the contrary notwithstanding.

Limitation of actions.

XXXIII. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, in every such case, the action or suit shall be brought within six months next after the facts committed, and not afterwards, and shall be commenced, prosecuted, and tried, in the supreme court of judicature of this island, and not elsewhere; and the defendant or defendants, in such action or suit to be brought, shall and may

General issue.

plead the general issue "not guilty," and give this act and the special matter in evidence at any trial to be had, and that the same was done in pursuance, and by the authority, of this act; and if the same shall appear so to be done, or such action or suit shall be brought after the time before limited

for

for bringing the ſame as aforeſaid, then the jury ſhall find for the defendant or defendants; and upon ſuch verdict, or if the plaintiff or plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their action, after the defendant or defendants ſhall have appeared, or if, upon demurrer, judgment ſhall be given againſt the plaintiff or plaintiffs, the defendant and defendants ſhall and may recover treble coſts, and have ſuch remedy for the ſame as any defendant or defendants hath or have in any caſe in law. Treble coſts.

XXXIV. And whereas it is but reaſonable and juſt that the perſons, through whoſe lands the ſaid roads herein and hereby directed to be laid out will go, ſhould receive ſatisfaction and payment for the ſame: Be it enacted by the authority aforeſaid, That it ſhall and may be lawful for his excellency the governor, or the governor or commander in chief for the time being, and he is hereby authorized, empowered, and required, under the broad ſeal of this iſland, to iſſue a warrant or warrants, directed to the provoſt-marſhal-general of this iſland, or his lawful deputy, empowering and requiring him to empannel and return, at ſuch time and place as ſhall be therein inſerted, a ſufficient jury of twelve good and lawful men, who, upon their oaths (which oaths the ſaid provoſt marſhal, or his deputy, is and are hereby empowered and authorized to adminiſter), ſhall inquire into the true value of the ſaid lands and damages wherein the ſaid roads ſhall go, and give their verdict and inquiſition thereof to the ſaid provoſt-marſhal, or his lawful deputy; who is hereby required and empowered to return the ſame unto the ſaid truſtees, or any ſeven or more of them, within one month after the execution thereof, under the penalty of one hundred pounds; which valuation, ſo made and returned, ſhall be final and concluſive againſt all perſons whatſoever; and that the ſame ſhall be paid for by the ſaid truſtees hereby appointed, or any ſeven or more of them, out of the monies to be raiſed and collected by virtue of this act. Mode of obtaining compenſation for lands through which the roads paſs.

XXXV. And be it further enacted by the authority aforeſaid, That all and every ſum and ſums of money to ariſe by virtue of the toll ſhall be, and are hereby declared to be, a fund, and ſhall be, from time to time, paid and applied by the ſaid truſtees, or any ſeven or more of them, in the repairing and keeping in repair the ſaid roads leading from St. Jago de la Vega to Kingſton, and in the repairing and keeping in repair the bridge ſo to be b ilt over the Rio Cobre, and the bridge already built over the Salt River, and to and for no other uſe or purpoſe whatſoever. Money ariſing from the tolls to be appropriated to keeping in repair the road and bridges.

XXXVI. And be it further enacted by the authority aforeſaid, That this act ſhall be adjudged and taken to be a public act, and ſhall be judicially taken notice of as ſuch by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading the ſame. Public act.

CAP. XXIII.

REPEALED. *An act to repeal an act entitled, "An act to prevent negro and other runaway ſlaves from being harboured and entertained, by eſtabliſhing a conſtant patrolling party in each pariſh throughout this iſland; and to prevent ſlaves from being carried from this iſland by maſters of ſhips and other veſſels;" and to prevent negro and other runaway ſlaves from being harboured and entertained, by eſtabliſhing a conſtant patrolling party in each pariſh throughout this iſland; and to prevent ſlaves from being carried from this iſland by maſters of ſhips and other veſſels.*—[24th December, 1774.]

CAP. XXIV.

An act to regulate the working of wherries, boats, and canoes, in and about the harbours of Port-Royal and Kingston; and to repeal two ſeveral acts reſpecting the regulating the working of wherries, boats, and canoes, the one entitled, "An act to encourage the importation of white men," the other entitled, "An act to encourage white men to come to continue and ſettle in this iſland."

[24th December, 1774.]

Preamble. WHEREAS a number of wherries are abſolutely neceſſary to be kept employed and in good order in and about the harbours of Kingſton and Port-Royal; for the conveyance and diſpatch of paſſengers, whoſe buſineſs may be of the greateſt importance and conſequence to the good and welfare of this iſland, proper encouragement from time to time ought to be granted thereto: And whereas, in act forty-ſix, paſſed in one thouſand ſeven hundred and three, clauſes fourth, fifth, and ſixth, being part of an act entitled, *An act to encourage the importation of white men*; and in act ſixty, paſſed in one thouſand ſeven hundred and twelve, clauſes firſt, fifth, and ſixth, for the regulating wherries, boats, and canoes, plying for fare, being part of an act entitled, *An act to encourage white men to come to continue and ſettle in this iſland*; are now found inſufficient to effect the ſalutary purpoſes for which they were intended, owing, amongſt other cauſes, to the great advance on the value of ſlaves, and improvements in the conſtruction of wherries, ſince the paſſing of the ſaid ſeveral acts: Be it therefore enacted and ordained by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That the ſaid ſeveral clauſes reſpecting the regulating of wherries, boats, or canoes, and white men plying therein, as in the ſaid ſeveral acts of one thouſand ſeven hundred and three, and one thouſand ſeven hundred and twelve, one entitled, *An act to encourage the importation of white men*, the other entitled, *An act*

Recited act is obſolete or repealed.

11 *Ann, cap.* 3.

Above-recited clauſes repealed.

to

to encourage white men to come to continue and ſettle in this iſland, ſhall be and are hereby repealed and made void to all intents and purpoſes.

II. And be it therefore enacted by the authority aforeſaid, That, within one month from and after the paſſing of this act, all ſuch wherries, boats, or canoes, either plying for or carrying paſſengers or goods upon hire, in and about the harbours of Kingſton and Port-Royal, ſhall, and is hereby required to, be numbered, and regiſtered in his majeſty's naval office of this iſland; and that the number, with the name of the place, and to whom they belong, ſhall be wrote at full length on the outſide of the ſtern of ſuch wherry, boat, or canoe, as ſhall ply for or carry paſſengers or goods upon hire, and that in large and plain letters and figures, under the penalty of five pounds, to be paid by the owner or owners thereof, for each and every offence: Which name, place of abode, and number, the naval officer for the time being is hereby required, under the penalty of five pounds, to regiſter, with the name of the owner or owners, in order as they come, and deliver in the ſaid name, place of abode, and number, ſo to be placed on the ſaid wherry, boat, or canoe; and receive for his fee the ſum of two ſhillings and ſix pence, and no more.

Wherries, &c. for hire, to be numbered, and regiſtered in the naval office.

Number, with owner's name and reſidence, to be written conſpicuously on them, under penalty of 5*l.*

Naval officer to regiſter them in order, and regulate the marking.

His fee.

III. And be it further enacted by the authority aforeſaid, That all ſuch wherries, boats, or canoes, when upon the water, and regiſtered as aforeſaid, ſhall, and are hereby obliged to, be properly fitted, and manned with at leaſt five white men, or good and ſufficient able ſlaves, clear of infectious diſorders, and to ply at the uſual and accuſtomed places from break of day to eight o'clock at night, and proceed to any part of the harbours of Kingſton or Port-Royal; neither ſhall the perſons commanding or working ſuch wherry, boat, or canoe, when thereunto required, refuſe or neglect to proceed, by either deſerting their boat, wherry, or canoe, or putting off from the reach of perſons applying for and intending to uſe the ſame, or pretend to be engaged to others, without having a ſervant, baggage, or ſome other ſufficient token to teſtify the ſame, under the penalty of two pounds for every ſuch offence; which penalty ſhall be recovered, as herein after directed, from the owner or owners of ſuch wherry, boat, or canoe.

Wherries to be properly fitted, and manned with five perſons;

and ply from day-break till eight at night.

Penalty on refuſing or avoiding to proceed with paſſengers.

IV. And, for the better encouragement of perſons inclinable to keep wherries, boats, or canoes, as aforeſaid, and the more effectually ſecuring the paſſage of perſons inclined to croſs the water within the harbours of Port-Royal and Kingſton, Be it further enacted by the authority aforeſaid, That, from and after the firſt day of January next enſuing, the fare and hire of wherries, boats, or canoes, regiſtered as aforeſaid, ſhall, and is hereby declared to be, To or from Port-Royal to Kingſton, Paſſage-Fort, Port-Henderſon, or Greenwich, the ſum of three ſhillings and nine pence; and to and [*or*] from Kingſton to Paſſage-Fort or Port-Henderſon, the ſum of five ſhillings; alſo, that the fare or hire of a wherry, for one day, ſhall be

Rates of wherries for the paſſage,

and for the day.

the ſum of fifteen ſhillings, and no more; which ſum or ſums the owner, employer, or perſon commanding or working ſuch wherry or wherries, are hereby empowered to demand and receive.

Penalties how to be recovered and applied.

V. And be it further enacted by the authority aforeſaid, That the ſeveral penalties, in this act mentioned and declared, are to be recovered, in a ſummary way, by warrant of diſtreſs, upon due proof thereof before any magiſtrate of this iſland; who is hereby empowered to hear and determine all matters of difference reſpecting the working wherries, boats, or canoes, as aforeſaid; one half thereof to the informer, the other half to the poor of the pariſh where ſuch offence ſhall be committed.

CAP. XXV.

An act to enable the juſtices and veſtrymen of the pariſh of St. James to raiſe a further ſum, not exceeding ſix thouſand pounds, upon the inhabitants of the ſaid pariſh, for the purchaſing land for a burial-ground, for erecting a a church, a parſonage-houſe, for building bridges, and for erecting a court-houſe, in the ſaid pariſh.

[24th December, 1774.]

Preamble.

14 Geo. III. cap. 13.

Recital of clauſe 1 of the above act.

WHEREAS, in and by an act of the lieutenant-governor, council, and aſſembly of this iſland, entitled, *An act to enable the juſtices and veſtry of the ſeveral pariſhes in this iſland, where there are no churches, parſonage-houſes, public burial-grounds, or bridges, to lay a tax in their reſpective pariſhes, for purchaſing lands ſufficient for erecting a church, a parſonage-houſe, for a burial-ground, and for building bridges, in ſuch pariſhes*, it is, amongſt other things, enacted, That, from and after the paſſing the ſaid act, it ſhall and may be lawful to and for the juſtices and veſtrymen, in ſuch of the pariſhes in this iſland wherein there are no churches, parſonage-houſes, or public burial-grounds, or bridges to enable the inhabitants to attend divine ſervice, to lay a tax in their reſpective pariſhes, in the ſame manner as the parochial taxes are uſually laid, for raiſing a ſum, not exceeding five thouſand pounds in each pariſh, to be by them applied towards purchaſing of land ſufficient for erecting a church, for a burial-ground and parſonage-houſe, and erecting bridges for the purpoſes aforeſaid, in ſuch pariſh, and, from time to time, for the repairing and keeping in repair ſuch church, parſonage-houſe, and bridges; as in and by the ſaid in part recited act may appear: And whereas it is highly neceſſary that there ſhould be a convenient edifice for holding the inferior courts of common pleas and courts of quarter-ſeſſion for the conſervation of the peace, and for the trials of negroes and other ſlaves, the meeting of veſtries, and better carrying on the public and parochial buſineſs: And whereas the inhabitants

inhabitants of the parish of St. James, in the county of Cornwall, and island aforesaid, find that the said sum of five thousand pounds, in and by the said herein before in part recited act directed to be raised on the said parish, is not sufficient for the purposes therein mentioned: We, therefore, your majesty's most dutiful and loyal subjects, the assembly of this your majesty's island of Jamaica, upon the humble petition of the inhabitants of the said parish of St. James, do most humbly beseech your majesty that it may be enacted; Be it therefore enacted by the governor, council, and assembly of the said island, and it is hereby enacted by the authority of the same, That it shall and may be lawful to and for the justices and vestrymen, in the said parish of St. James, to lay a tax in the said parish, in the same manner as the parochial taxes are usually laid, for raising a further sum of six thousand pounds, for the purposes in the said herein before in part recited act, and in this act, hereafter mentioned.

A further sum of 6000*l.* to be raised in St. James's for purposes of the former and this act.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the justices and vestry of the said parish of St. James to meet, and to purchase a lot or lots of land, at or near the town of Montego-Bay, and thereon to erect a house or edifice for a court-house, for holding the inferior courts of common pleas, courts of quarter-session, trials of negroes and other slaves, the meeting of vestries, and better carrying on the public and parochial business.

Land to be bought, and court-house erected, near Montego-Bay.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said justices and vestry of the said parish of St. James, out of the said sum of six thousand pounds, herein before directed to be raised on the inhabitants of the said parish, to pay and apply so much thereof as shall be necessary for the use and purpose aforesaid,

Justices and vestry empowered to apply money as necessary;

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the justices and vestry of the said parish of St. James, from time to time, as the same shall be necessary, to repair the said house or edifice, out of the parish-tax that shall be annually raised in the said parish.

and to repair the court-house out of the parish-tax.

Anno regni Georgii tertii decimo sexto.

CAP. I.

An act for raising several sums of money, and applying the same to several uses. —[11th November, 1775.]

EXPIRED.

CAP. II.

An act for laying a duty on all wines, rum, and other spirits and strong waters, retailed within this island; and for laying a further tax on licenses to be granted for

EXPIRED.

for the retailing of wines, rum, and other liquors, and on the public offices; and applying the same to several uses.—[22d December, 1775.]

CAP. III.

EXPIRED. *An act to oblige the several inhabitants of this island, to provide themselves with a sufficient number of white men, white women, or white children, or pay certain sums of money in case they shall be deficient, and applying the same to several uses; to protect freeholders on the days of choosing churchwardens and vestrymen; and to ascertain who shall be deemed duly qualified to vote at such elections.*—[22d December, 1775.]

CAP. IV.

EXPIRED. *An act for raising a tax by the poll, and on trades, supercargoes, and masters of vessels in the out-ports, and on offices and houses; and also for laying a tax on certain wheel-carriages; and applying the same to several uses.*—[22d December, 1775.]

CAP. V.

EXPIRED. *An act for establishing and declaring rules and articles of war.*—[22d December, 1775.]

CAP. VI.

EXPIRED. *An act for reviving and continuing an act, entitled, "An act for the better regulating, training, and disciplining, the militia; and for enforcing and rendering more effectual an act entitled, 'An act for settling the militia.'"*—[22d December, 1775.]

CAP. VII.

EXPIRED. *An act for laying a duty on tonnage, and applying the same to the use of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majesty, his heirs and successors, for the support of the government of this island; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchase gunpowder, under certain regulations.*—[22d December, 1775.]

CAP. VIII.

EXPIRED. *An act for raising and fitting out parties for suppressing any rebellion in this island, during the continuance of this act.*—[22d December, 1775.]

CAP. IX.

EXPIRED. *An act to give a recompense to persons that shall be unjustly vexed by writs of replevin.*—[22d December, 1775.]

CAP. X.

EXPIRED. *An act to enable his excellency sir Basil Keith, knight, captain-general, governor and commander in chief of this island, and the governor or commander*

mander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time.—[22d December, 1775.]

CAP. XI.

An act to prevent the ſevering of eſtates and plantations, lands, ſlaves, tenements, and hereditaments, by way of dower, and to alter the preſent mode of aſſigning ſuch dower; and for other purpoſes therein mentioned.—[22d December, 1775.] EXPIRED.

CAP. XII.

An act to encourage the planting and growth of proviſions in the ſeveral pariſhes of this iſland; and to empower the juſtices and veſtrymen of the ſeveral pariſhes of this iſland to ſettle and regulate the price and aſſize of bread.—[22d December, 1775.] EXPIRED.

CAP. XIII.

An act for regulating the fees of the maſters of the high court of chancery of this iſland.—[22d December, 1775.] EXPIRED.

CAP. XIV.

An act to regulate the deviſes of negro, mulatto, and other ſlaves, in wills.—[22d December, 1775.]

Preamble.

WHEREAS doubts have ariſen whether negro, mulatto, and other ſlaves, deviſed by wills not executed according to the ſtatute of the twenty-ninth year of king Charles the ſecond, commonly called the ſtatute of frauds and perjuries, do paſs by ſuch wills; and ſuits at law have been commenced, and others may be commenced, between the heirs at law and deviſees of teſtators making ſuch wills, to their great trouble and expence: May it pleaſe your majeſty that it may be enacted and declared, by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and declared by the authority of the ſame, That all deviſes of negroes in wills heretofore made, or hereafter to be made, and duly proved and recorded in the ſecretary's office of this iſland on or before the firſt day of January, one thouſand ſeven hundred and ſeventy-ſeven, and not executed according to the form of the ſaid ſtatute of frauds and perjuries, have been, and ſhall be, good and valid to paſs ſuch negro, mulatto, and other ſlaves, according to the intent and meaning of ſuch wills: And, from and immediately after the ſaid firſt day of January, no deviſe of any negro, mulatto, or other ſlave, by will, ſhall be good and valid in law to paſs ſuch negro, mulatto, or other ſlave, unleſs ſuch will ſhall be duly executed according to the form preſcribed by the ſaid ſtatute of the twenty-ninth year of king Charles the ſecond, commonly called the ſtatute of frauds and perjuries; any law, cuſtom, or uſage, to the contrary thereof notwithſtanding.

Deviſes of ſlaves in wills, though not in the form preſcribed by ſtat. 29. Car. II. declared valid, if will recorded in a limited time; after which time, ſuch deviſes muſt be according to that form.

CAP.

CAP. XV.

An act for the better regulation of executors and administrators, in the defence of actions or suits brought against them in right of their respective testators or intestates estates; and for other purposes.—[22d December, 1775.]

Preamble.

WHEREAS, from the peculiar nature of real and personal property in this island, and of the several acts of the governor, council, and assembly, respecting the same, and the better to enable just creditors to bind the assets of testators or intestates, by speeding their respective demands, against the executors or administrators of such testators or intestates, to early execution, such executors and administrators have hitherto used to plead the general issue, such as *non est factum testatoris*, *non assumpsit testator*, or such-like bars as their several testators or intestates, if living, might have pleaded; which uniform usages have been found to be well suited to the local circumstances and laws of this island: And whereas the said pleas may be deemed and taken as evidence of admission of assets, and, by bar and estoppel, charge such executors or administrators to and with the amount of such judgments, though no assets should actually have come to the hands of such executors or administrators, either before or after the obtaining such judgments, to the great damage and distress of such executors and administrators: For remedying whereof, We, your majesty's most dutiful and loyal subjects, the assembly of Jamaica, most humbly beseech your majesty that it may be enacted, and be it enacted by the governor, council, and assembly, of this your majesty's island of Jamaica, That, from and after the passing of this act, all such executors and administrators who have hitherto pleaded *non est factum testatoris*, *non assumpsit testator*, and such-like bars as their respective testators or intestates, if living, might have pleaded, shall not, in any action or proceeding by *scire facias* or otherwise, be barred, estopped, or charged, by virtue of such pleas; nor shall the same be received and taken as conclusive evidence of the admission of assets, notwithstanding any notice or knowledge such executors or administrators might have of other demands against the estate of his testator or intestate, at the time of pleading to such actions; but that the plaintiffs, in such actions or proceedings by *scire facias* or otherwise, shall produce other evidence to charge such executors or administrators respectively with an actual receipt of assets, or any act of *devastavit*.

Executors, &c. not barred in any action by having pleaded the general issue.

Such plea not to be taken as conclusive evidence of admission of assets;

but proof must be brought of actual receipt.

II. And be it further enacted by the authority aforesaid, That in all cases where actions are now depending, and in actions hereafter to be brought, at the suit of any creditors of any person deceased, against their executors or administrators, it shall be deemed and taken as a legal defence for

Executors, &c. may plead as testators might

for ſuch executors or adminiſtrators to plead ſuch bars to ſuch actions reſpectively as their teſtators or inteſtates might, if living, have pleaded, according to the nature thereof; and that no ſuch pleas ſhall be received and taken as concluſive evidence of the admiſſion of aſſets in the hands of ſuch defendant for ſatisfaction thereof, notwithſtanding any notice or knowledge ſuch executor or adminiſtrator might have of other demands againſt the eſtate of his teſtator or inteſtate, at the time of pleading to ſuch other actions; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding.

have done, if living;

which ſhall not affect them, though they know of other demands.

III. And be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, it ſhall and may be lawful for executors and adminiſtrators to maintain, ſue, proſecute, and defend, in the name or names of ſuch executor or executors, adminiſtrator or adminiſtrators, in any of the courts of this iſland, any action or actions, ſuit or ſuits, touching and concerning any mulatto, negro, or other ſlave or ſlaves, the property of, or in the poſſeſſion of, their reſpective teſtators or inteſtates at the time of his or her deceaſe, and which ſlave or ſlaves, from and after the death of ſuch teſtator or inteſtate, came into the poſſeſſion of any perſon or perſons whatſoever, and to recover the ſame by judgment of the ſame court, in like manner as the teſtator or inteſtate, if living, might have done; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding: Provided always nevertheleſs, That ſuch action or actions, ſuit or ſuits, be not maintained, ſued, proſecuted, or defended, againſt the heir, deviſee, or other perſon lawfully poſſeſſed of ſuch ſlave or ſlaves, but only as againſt a ſtranger, or other perſon having no legal or juſt title thereto.

Executors, &c. authorized to maintain actions for recovery of ſlaves belonging to the deceaſed,

if perſons have unlawful poſſeſſion of them.

CAP. XVI.

An act to encourage the taking and curing of fiſh and turtle, and the making of oil, and procuring ſalt, and importing the ſame into this iſland.—[22d December, 1775.]

EXPIRED.

CAP. XVII.

An act to repeal two ſeveral acts of this iſland, one entitled, "An act for appointing commiſſioners for ordering and inſpecting the works in and about the forts, fortifications, and barracks of this iſland;" the other entitled, "An act to add commiſſioners to thoſe already appointed for carrying on the works in and about the forts, fortifications, and barracks of this iſland, and to thoſe already appointed for building, finiſhing, and repairing, the public edifice in St. Jago de la Vega;" and for appointing commiſſioners for forts, fortifications, and public buildings.—[22d December, 1775.]

EXPIRED.

CAP. XVIII.

An act for the erecting, establishing, maintaining, and keeping up, a ferry or ferry-boat, across the Black River, at Gravesend, in the parish of St. Elizabeth.

[22d December, 1775.]

Preamble.

WHEREAS it will be a great conveniency, and tend much to the safety, benefit, and advantage, of the inhabitants of this island, particularly to all such persons whose occasions may require their travelling the high road, between the windward and leeward parts of this island, over Carpenter's Mountains, to have a ferry or ferry-boat, toll-free, across the Black River, at Gravesend, in the parish of St. Elizabeth: And whereas the inhabitants of the said parish are willing and desirous that the same should be made, established, maintained, and kept, at the expence of the said parish: Therefore, We, your majesty's most dutiful and loyal subjects, the assembly of this your majesty's island of Jamaica, most humbly beseech your majesty that it may be enacted; Be it therefore enacted by the governor, council, and assembly, of this your majesty's said island, and it is hereby enacted and ordained by the authority of the same, That, from and after the passing this act, it shall and may be lawful for the justices and vestry of the said parish of St. Elizabeth, and they are hereby authorized and empowered, to make, establish, maintain, and keep, a ferry or ferry-boat across the said river, at such place aforesaid: And they are hereby authorized and empowered to enter into, make, and execute, all and every or any contracts and agreements whatsoever, with any person or persons whomsoever, for the making, maintaining, establishing, and keeping up, the said ferry or ferry-boat, and for such time and times, and upon such conditions, as shall appear to the said justices and vestry requisite and necessary for the carrying the purposes of this act into execution, and that in as full and ample manner as the same can or may be: And the said justices and vestry are hereby authorized and empowered, and they are hereby required, from time to time, to raise and levy on the said parish by tax, in such mode and manner as is now usually done for raising and levying the ordinary taxes of the said parish, such sum and sums of money as may be necessary and expedient for the making, establishing, fixing, and keeping up, the said ferry or ferry-boat, with all usual, necessary, and proper, fixtures and materials for the purposes aforesaid; any law, custom, or usage, to the contrary in anywise notwithstanding: Provided always nevertheless, That all his majesty's subjects in this island, their persons and goods, shall have full and free liberty to pass and repass, and be carried over the said ferry or ferry-boat, free of any duty, toll, charge, or demand whatsoever.

Justices and vestry of St. Elizabeth's to establish a ferry at Gravesend.

They may enter into contracts for that purpose;

and are to lay a tax to make and keep up the ferry;

which is to be free to persons and goods.

II. And be it further enacted by the authority aforesaid, That if any person or persons shall wilfully, willingly, maliciously, and wickedly, cut down,

Persons wilfully damag-

down, burn, deſtroy, break, or damage, the ſaid ferry, or carry away ſuch ferry-boat, ſo to be erected as aforeſaid, or any of the ropes, cranes, materials, matters, or things, thereto belonging or in anywiſe appertaining, ſuch perſon or perſons, being thereof legally convicted, ſhall ſuffer ſuch pains and penalties, and be liable to ſuch puniſhment, as are inflicted upon perſons offending within the intent and meaning of a certain act of this iſland, entitled, *An act to repeal an act entitled, "An act for building a bridge over the Rio Cobre;" and for building a bridge over the Rio Cobre, in the pariſh of St. Catherine; and for other purpoſes therein mentioned.*

ing the ferry, to ſuffer as felons.

15 Geo. III. cap. 22.

CAP. XIX.

An act to enable the juſtices and veſtrymen of the ſeveral pariſhes, remote from the county gaols, to raiſe a further ſum of money by a parochial tax, to be applied in building or purchaſing a gaol or gaols, for the confinement of offenders, within their reſpective diſtricts.

[22d December, 1775.]

WHEREAS, in and by an act of the governor, council, and aſſembly of this iſland, entitled, *An act to enable the juſtices and veſtrymen of the ſeveral pariſhes in this iſland, remote from the county gaols, to raiſe money by a parochial tax, to be applied in building or purchaſing a gaol or gaols, for the confinement of offenders, within their reſpective diſtricts*, paſſed the ſecond day of December, which was in the year of our Lord one thouſand ſeven hundred and ſeventy-three, it is, among other things enacted, That the juſtices and veſtrymen in the ſeveral and reſpective pariſhes in this iſland, remote from the county gaols, be empowered, and they were thereby authorized and empowered, to lay a tax in their reſpective pariſhes, in the ſame manner as the parochial taxes are uſually laid, for raiſing a ſum, not exceeding five hundred pounds where only one gaol is neceſſary, and not exceeding one thouſand pounds where two gaols ſhall be found neceſſary; which ſums ſhould, by the ſaid juſtices and veſtrymen, be applied to and for the purchaſing land, and erecting and building ſuch gaol or gaols, or purchaſing a houſe or houſes already built, in the moſt convenient part or parts of their ſeveral pariſhes or precincts, as to them ſhould appear fit and proper; as in and by the ſaid act may appear: And whereas the ſaid ſums, of five hundred pounds where one gaol is to be built or purchaſed, and the ſum of one thouſand pounds where two gaols are to be built or purchaſed, are found not to be ſufficient for the purpoſes aforeſaid: We, therefore, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, do moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's ſaid iſland, and it

Preamble. 14 Geo. III. cap. 6.

Recital of *part of clauſe 1 of the above act.*

Justices and vestries, in parishes remote from county gaols, authorized to raise a further sum for the purposes of the recited act.

is hereby enacted and ordained by the authority of the same, That it shall and may be lawful to and for the justices and vestrymen in the several and respective parishes in this island, remote from the county gaols, and they are hereby authorized and empowered, to lay a tax in their respective parishes, in the same manner as is directed in and by the said herein before recited act, and for the purposes therein mentioned, for raising a further sum, not exceeding two hundred pounds where only one gaol is necessary, and not exceeding four hundred pounds where two gaols shall be found necessary; any thing in the said in part recited act mentioned to the contrary in anywise notwithstanding.

CAP. XX.

An act for making certain persons a body politic and corporate, for certain purposes therein mentioned.

[22d December, 1775.]

Preamble.

WHEREAS there has been lately discovered, in the land of William Smith, of the parish of Saint Andrew, in the county of Surrey, and island aforesaid, planter, a spring of chalybeate water, whereby many cures have been effected on divers persons, and which, it is thought, will be of greater benefit to this island than any other water as yet discovered in it: And whereas the proprietor, William Smith, hath agreed with the house of assembly of this island, to transfer his right, title, and interest of, in, and to, the said spring and two hundred and fifty acres of land adjoining thereto, for the public good: We, therefore, your majesty's most dutiful and loyal subjects, the assembly of this your majesty's island of Jamaica, do most humbly beseech your majesty that it may be enacted, and be it enacted by the governor, council, and assembly, of this your majesty's said island, and it is hereby enacted and ordained by the authority of the same, That, for the purchasing of the said spring and land adjoining thereto, the sum of three thousand pounds current money of Jamaica (out of the monies to arise by virtue of an act of this island, entitled, *An act for raising several sums of money, and applying the same to several uses*, passed this present session of assembly) be paid, by his majesty's receiver-general of this island for the time being, into the hands of the directors herein after named, or any three of them, to be by them applied for the purposes aforesaid.

Purchase-money of Jamaica Spa.

Recited act is expired.

II. And be it further enacted by the authority aforesaid, That his excellency sir Basil Keith, knight, captain-general, governor, and commander in chief of this island, or the governor or commander in chief for the time being; the honourable Thomas Iredell, Francis Cooke, Rose Hering May, William Patrick Browne, John Ellis, John Palmer, William Barnet, Samuel Alpress, Thomas Hercey Barritt, and Richard Welch, esquires, members of

Directors appointed.

his

his majeſty's council, or the members of the council for the time being; the honourable Philip Pinnock, eſquire, ſpeaker of the aſſembly, or the ſpeaker of the aſſembly for the time being, and James Lewis, James Frower, Benjamin Lyon, Thomas French, Simon Taylor, Jaſper Hall, Digby Denniſs, Matthew Wallen, James Crean, Daniel Moore, Edward Eaſt, Auguſtin Gwyn, Robert Richards, William Harris, Samuel Orr, Nathaniel Grant, William Gray, William Elphinſton, Thomas Murphy, Thomas Bourke, James Riſby Whitehorne, Alexander Fullerton, William James Hall, James Irving junior, James Irving ſenior, Walter Murray, Samuel Williams Haughton, John Campbell, John Cope, Edward Webley, William Witter, William Harvey, Thomas Fearon, Wheeler Fearon, William Puſey, Archibald Sympſon, James Prevoſt, Charles Brooks, Thomas Brooks, Thomas Wallen, Stephen Richard Redwood, and Malcolm Laing, eſquires, members of the preſent aſſembly, or the members of the aſſembly for the time being; ſhall and may be a body politic and corporate, and ſhall, for ever hereafter, ſtand and be incorporated, eſtabliſhed, and founded, in name and in deed, a body politic and corporate, and to have continuance and ſucceſſion for ever, by the name of THE DIRECTORS OF THE JAMAICA SPA, and by that name to have perpetual ſucceſſion for ever: And the ſaid directors, and their ſucceſſors for the time being, ſhall and may have full power, liberty, and authority, to purchaſe, and hold to them and their ſucceſſors, all that parcel of land, containing two hundred and fifty acres, wherein the ſaid ſpring of chalybeate water is; and that the ſaid ſpring, and the ſaid two hundred and fifty acres of land, when and as ſoon as the ſame ſhall be purchaſed by them, ſhall be called and known by the name of the JAMAICA SPA; and that the ſaid ſpring and land, and all edifices, erections, and buildings, thereon to be erected and built, ſhall be and remain unto the ſaid directors, and their ſucceſſors for ever, for the uſe and benefit of all perſons reſorting thereto.

and incorporated.

Their name.

They are to purchaſe the land wherein the ſpring is;

which is to be called the Jamaica Spa;

and be veſted in the directors, for public uſe.

III. And be it further enacted by the authority aforeſaid, That the ſaid directors for the time being, and their ſucceſſors, ſhall have full power and authority, by the aforeſaid name of the directors of the Jamaica Spa, to ſue and be ſued, implead and be impleaded, to anſwer and be anſwered unto, in all and all manner of courts and places that now are or ſhall hereafter be in this iſland, in all manner of ſuits and actions whatſoever, and of what nature and kind ſoever ſuch ſuits and actions be or ſhall be, in the ſame ample manner and form, to all intents, conſtructions, and purpoſes, as any other perſon or perſons, bodies politic and corporate in the realm of England, being able perſons in law, may do.

Corporate powers.

IV. And be it further enacted by the authority aforeſaid, That the ſaid directors, and their ſucceſſors for the time being, or any three of them, ſhall and may have full power and authority to grant, bargain, and ſell, any part or parcel of the ſaid land (except twenty acres thereof near and adjoining

Lands may be ſold

(excepting twenty acres)

adjoining to the ſaid ſpring, which ſhall remain unalienable for the uſe of the public for ever), in lots, not exceeding ten acres, to any perſon or perſons, in fee ſimple; but with a clauſe to be contained in ſuch grant, bargain, or ſale, to reſtrict ſuch grantee or grantees from aliening or diſpoſing of the ſame, otherwiſe than by will, for the term of twenty years, to commence from the time of ſuch grant, bargain, or ſale: Provided always, That if any perſon or perſons, to whom any piece or parcel of the ſaid land ſhall be granted, ſhall neglect or refuſe to fall, clear, and plant, one third part thereof, for the ſpace of two years from the date or dates of his or their reſpective grant or grants for the ſame, or, when planted, ſhall deſert or neglect to cultivate the ſame for the ſpace of two years together, all and every ſuch perſon or perſons ſhall be, and they are hereby, deemed to have forfeited their ſaid land; and the ſame ſhall be, and is hereby, re-veſted in the ſaid directors, and their ſucceſſors, to be re-granted as aforeſaid.

in ten acre lots; but must not be again aliened for twenty years. If lands neglected, directors to resume them.

V. And be it further enacted by the authority aforeſaid, That the ſaid directors, and their ſucceſſors for the time being, may have and uſe a common ſeal, for the making and granting of ſuch their grants, and for the doing of all and every other thing touching or in anywiſe concerning the ſaid corporation; and alſo that the ſaid directors, and their ſucceſſors, or any three or more of them, ſhall and may have full power and authority, at their pleaſure, to change and alter the ſaid ſeal.

Directors to have a common seal, which they may change.

VI. And be it further enacted by the authority aforeſaid, That the ſaid directors, and their ſucceſſors, or any three of them, ſhall and may have full power and authority, under their ſaid common ſeal, to chooſe, nominate, and appoint, ſuch and ſo many officers as they, or any three of them, ſhall judge requiſite and neceſſary for the ſaid corporation, and to pay and allow them ſuch reaſonable ſalaries as to them ſhall ſeem meet, and the ſame, or any or either of them, upon any neglect or miſdemeanor, to diſplace and remove, and, upon the death, reſignation, deprivation, or removal of them, or any or either of them, others in their place and ſtead to appoint and put; and to make, ordain, ſet down, and preſcribe, ſuch rules, laws, and ordinances, for the good order, rule, and government, of the ſaid Jamaica Spa, and of the officers belonging to the ſame; and that the ſame orders, rules, ſtatutes, and ordinances, ſo by the ſaid directors, and their ſucceſſors, or any three of them, made, ſet down, and preſcribed, as aforeſaid, ſhall be and ſtand in full force and ſtrength in law, the ſame not being repugnant nor contrary to his majeſty's prerogative, nor to the known laws and ſtatutes of the realm of England, or of this iſland.

They are to appoint such officers as they may think requisite; and make ordinances for the regulation of the Spa.

VII. And be it further enacted by the authority aforeſaid, That all and every ſum and ſums of money which ſhall ariſe by virtue of any grants of the ſaid land, ſo hereby intended to be granted, and which ſhall be granted by the ſaid directors, or their ſucceſſors, or any three of them for the time being,

Monies ariſing from grants of the lands to be ap-

being, ſhall be employed and laid out either towards increaſing the buildings, or in making, mending, and repairing, the roads to the ſaid ſpring, and providing neceſſaries and conveniencies for ſick and poor people, as the ſaid directors, or their ſucceſſors, or any three of them, ſhall think fit; and to and for no other uſe or purpoſe whatſoever.

plied in building, mending roads, and ſupplying the poor with neceſſaries.

CAP. XXI.

An act for making certain commissioners, nominated and appointed in and by an act entitled, "An act to repeal an act entitled, 'An act for building a bridge over the Rio Cobre;' and for building a bridge over the Rio Cobre, in the parish of St. Catherine; and for other purposes therein mentioned, a body politic and corporate; and to enable them to raise a certain sum of money upon the toll in the said act mentioned; and for other purposes therein mentioned.

[22d December, 1775.]

WHEREAS an act was made in the laſt ſeſſion of this preſent aſſembly, entitled, *An act to repeal an act entitled, "An act for building a bridge over the Rio Cobre; and for building a bridge over the Rio Cobre, in the pariſh of St. Catherine; and for other purpoſes therein mentioned,"* and certain commiſſioners, therein named, were by the ſaid act appointed and empowered to deſign, aſſign, and lay out, how and in what manner, and with what materials, the ſaid intended bridge ſhould be made, erected, and built, and the ways and paſſages to and from the ſame, and to preſerve and keep in repair ſuch ways and paſſages from time to time, and to make contracts, and do all matters and things for carrying on and effecting the purpoſes aforeſaid, and to cauſe the ſame to be effectually done and perfected accordingly; and, for enabling the commiſſioners to execute the powers, and effect the purpoſes, in the ſaid act, authority was given to raiſe a ſum, not exceeding four thouſand pounds current money of this iſland, by way of ſubſcription, to be paid and applied for and towards the purpoſes in the ſaid act mentioned, as the ſaid commiſſioners, or any ſeven of them, ſhould from time to time direct: And whereas a conſiderable ſum of money, but far ſhort of the ſaid ſum of four thouſand pounds, has been contributed and paid by voluntary ſubſcriptions in virtue of the ſaid act: And whereas it is not likely that a ſufficient ſum of money can be raiſed by ſubſcription, for the purpoſes in the ſaid act mentioned: Wherefore, to the end and intent that a deſign ſo uſeful to his majeſty's ſubjects, and the public in general, may be carried into execution as effectually as may be, We, your majeſty's moſt dutiful and loyal ſubjects,

Preamble. 15 Geo. III. cap. 22.

jects, the aſſembly of Jamaica, moſt humbly beſeech your majeſty that it may be enacted, and be it enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and by the authority of the ſame, That, from and after the paſſing of this act, all and every the commiſſioners, or ſuch of them as are now living, appointed by the ſaid act, as well thoſe thereby appointed for the purpoſe of deſigning, directing, ordering, and building, the ſaid bridge, as thoſe thereby appointed for making a road leading from the Ferry to the town of Kingſton, ſhall be, and they are hereby appointed, commiſſioners for the deſigning, ordering, and building, ſuch bridge, and for maintaining, preſerving, and ſupporting the ſame, when built, and for all and every other the purpoſes in the ſaid act mentioned; any thing therein contained to the contrary notwithſtanding; and that all and every the powers and authorities veſted in all and every or any of the ſaid commiſſioners by the ſaid act, and all and every the clauſes, proviſions, matters, and things, contained in the ſaid act, ſhall remain, continue, and be in full force, as amply and effectually, to all intents and purpoſes, as if the ſame were repeated and re-enacted by this preſent act; any thing therein contained to the contrary in anywiſe notwithſtanding.

All the commissioners appointed by the former bridge act, appointed under this act;

with the same powers as all or any of them had thereby.

II. And foraſmuch as the erecting and building the ſaid bridge, and the repairing, preſerving, and ſupporting the ſame, and the making, repairing, and preſerving, the ways, roads, and paſſages, to and from the town of St. Jago de la Vega to the town of Kingſton, as in the ſaid act mentioned, and the purchaſing ſuch grounds as may be neceſſary for the purpoſe of making ſuch ways, roads, and paſſages, will be attended with conſiderable charge and expence, and it may become neceſſary to raiſe and borrow money to defray the ſame: Be it enacted by the authority aforeſaid, That, for and towards raiſing a ſum, not exceeding five thouſand pounds, for the purpoſes herein mentioned, all and every the ſaid commiſſioners in the ſaid act mentioned, for all or any of the purpoſes therein contained, or ſuch of them as are now living, are, and they are hereby declared and made, a body politic and corporate, in deed and in name; and they and their ſucceſſors to have perpetual ſucceſſion, and a common ſeal, and ſuch ſeal from time to time to break, change, make new, or alter, as they, or any ſeven or more of them, ſhall judge moſt expedient: And that they and their ſucceſſors, to be appointed as in the ſaid act mentioned, ſhall be able and capable in law to have, purchaſe, receive, enjoy, poſſeſs, and retain, to them and their ſucceſſors, meſſuages, lands, tenements, and hereditaments, of what nature or quality ſoever, and alſo to ſell, grant, demiſe, alien, or diſpoſe of, the ſame, or any part thereof, as they, or any ſeven or more of them, at their free wills and pleaſure, ſhall think proper and neceſſary; and to ſue and implead, be ſued and impleaded, anſwer and be anſwered, in courts of record or elſewhere; and to chooſe their ſucceſſors and officers from time to time, as in the ſaid act mentioned; and to do and execute all and ſingular other matters and things that to them ſhall or may appertain to do, with ſuch

Commissioners incorporated.

Their corporate powers.

ſuch powers, clauſes, rules, qualifications, and appointments, and ſubject to ſuch reſtrictions and limitations, as are in the ſaid act and this act expreſſed; and that it ſhall and may be lawful, from time to time, and at all times hereafter, for ſuch commiſſioners and their ſucceſſors to make reaſonable laws, conſtitutions, orders, and ordinances, for the good government of ſuch corporation, and of their agents and officers.

Corporation not to borrow money for a ſhort time;

not to diſcount;

nor be treaſurer or accountant for others.

III. And be it enacted by the authority aforeſaid, That it ſhall not be lawful to or for the ſaid corporation or company, as ſuch corporation or company, to borrow or take up, or give ſecurity for, any ſum or ſums of money payable in leſs than twelve months; or to diſcount any bills of exchange, bonds, bills, or notes whatſoever; or to keep any books or caſh of or for any perſon or perſons, bodies politic or corporate whatſoever, other than and except only the proper books, monies, and caſh, of the ſaid company or corporation.

They may aſſign over the toll as ſecurity for monies borrowed, with common intereſt.

IV. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the ſaid commiſſioners, and their ſucceſſors, or any ſeven or more of them, and they are hereby empowered, by indenture or writing under their common ſeal, to convey and aſſure the toll by the ſaid act veſted, or intended to be veſted, in the commiſſioners therein named, or any part thereof, as a ſecurity for any ſum or ſums of money by them to be borrowed, not exceeding the ſaid ſum of five thouſand pounds, for the ends and purpoſes in the ſaid act mentioned, to any perſon or perſons, natives or foreigners, bodies politic or corporate, that ſhall or will lend or advance the ſame, for ſecuring the re-payment thereof, with intereſt, not exceeding the rate of ſix pounds *per centum per annum*.

Commiſſioners may lend money to the corporation.

V. And be it further enacted and declared by the authority aforeſaid, That any members of the ſaid corporation for the time being are and ſhall be capable, and they are hereby enabled and made capable, to advance and lend any ſum or ſums of money, as fully and effectually, to all intents and purpoſes, as any other perſon or perſons whatſoever; any thing herein contained to the contrary notwithſtanding.

Income of the toll may be mortgaged to contractors;

they giving ſecurity.

VI. And, for the more effectual enabling the ſaid commiſſioners and truſtees, and corporation as aforeſaid, as ſpeedily as may be to complete and perfect the ſaid work, be it enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid corporation, at any time or times, to convey and aſſign over, by way of mortgage, the toll, revenues, profits, or incomes thereof, in the ſaid recited act mentioned, unto ſuch perſon or perſons as will undertake, contract, and agree, to do and perform the work neceſſary to be done in regard to the ſaid bridge and roads, and to the preſerving and keeping the ſame in good and ſufficient repair, and ſhall give ſufficient ſecurity ſo to do, to the ſatisfaction of the ſaid commiſ-

ſioners, truſtees, and corporation, as aforeſaid; any thing herein, or [*in*] the ſaid recited act, or any other act, to the contrary in anywiſe notwithſtanding.

All ſecurities under the common ſeal made transferable and deviſeable.

VII. And be it further enacted by the authority aforeſaid, That all ſecurities under the common ſeal of the ſaid corporation, whereby the ſaid corporation ſhall oblige themſelves, or their ſucceſſors, to pay any ſum or ſums of money, ſuch money ſhall be aſſignable at law, *toties quoties*, by writing under the hand and ſeal, or hands and ſeals, of the reſpective perſon or perſons, or under the common ſeal of any body politic or corporate, to whom ſuch money ſhall in ſuch ſecurity be made payable, his, her, or their executors, adminiſtrators, aſſigns, or ſucceſſors; and the ſame, or any part thereof, ſhall be deviſeable by will in writing, *toties quoties*; and ſuch aſſignments or wills ſhall veſt the property in the aſſignee or aſſignees, his, her, or their executors, adminiſtrators, aſſigns, or ſucceſſors, according to the purport thereof: And all ſuch aſſignees or deviſees, or their executors, adminiſtrators, aſſigns, or ſucceſſors reſpectively, ſhall or may, in failure of payment of the money payable upon or by virtue of ſuch ſecurity, bring and maintain his, her, or their, action of debt at law againſt the ſaid company or corporation, and their ſucceſſors, for the money which ſhall be due and owing, according to their reſpective intereſts upon ſuch ſecurity, in all reſpects as if ſuch ſecurity had been originally made unto, and the money thereupon due had been made payable unto, any ſuch aſſignee or deviſee, or their executors, adminiſtrators, aſſigns, or ſucceſſors reſpectively.

Assignees and deviſees may maintain actions againſt the corporation.

Receiver-general empowered to advance money to the corporation, if neceſſary.

VIII. And be it further enacted by the authority aforeſaid, in caſe ſuch ſum and ſums of money, ſo as aforeſaid intended to be raiſed and borrowed under and by virtue of this act, ſhall not be ſo raiſed and borrowed according to the purport, true intent, and meaning hereof, in any of the ſeveral modes, and in the manner, preſcribed by this act, That it ſhall and may be lawful to and for William Dunlop, eſquire, the receiver-general, or the receiver-general for the time being, and he is hereby directed and empowered, to advance and lend ſuch ſum and ſums of money as aforeſaid, or any and ſuch part thereof as may be wanting for the purpoſes aforeſaid, out of any of the monies in [*his*] hands unappropriated: Such ſum and ſums of money, ſo to be lent and advanced as aforeſaid, ſhall be payable in ſuch mode and manner, and ſecured and made payable and aſſignable, as if the ſame had been lent and advanced by any perſon or perſons, body politic or corporate, as aforeſaid; any thing in this or any other act to the contrary in anywiſe notwithſtanding; and that the ſaid receiver-general be, and he is hereby, indemnified in ſo doing.

Public act.

IX. And be it further enacted by the authority aforeſaid, and it is hereby enacted and declared, That this act ſhall be deemed and allowed to be a public act, and be judicially taken notice of as ſuch by all judges, juſtices, and other perſons, without ſpecially pleading the ſame.

X. And

X. And be it further enacted by the authority aforeſaid, That ſo much of the ſaid recited act as authorizes and empowers the commiſſioners, therein named, to contract with any perſon or perſons for receiving ſaid tolls for the term therein mentioned, be, and the ſame is hereby, repealed and annulled, to all intents and purpoſes, as if the ſame had never been made; any thing in the ſaid recited act to the contrary in anywiſe notwithſtanding.

Commissioners not to make contracts for receiving the tolls;

XI. And be it further enacted by the authority aforeſaid, That the ſaid commiſſioners and truſtees, or any ſeven or more of them, are hereby authorized, empowered, and required, on or before the tenth day of January, in the year of our Lord one thouſand ſeven hundred and ſeventy-eight, and alſo on the tenth day of January in every ſucceeding year, to nominate a proper perſon or perſons, and at ſuch ſalary, ſtipend, gratuity, and allowance, as they ſhall think proper and reaſonable, to be receiver or receivers, collector or collectors, of ſuch rates, duties, aſſeſſments, and ſums of money, as ſhall be due and payable for the ſaid toll, by virtue of the act in the ſaid recited act mentioned, from all perſons liable to pay the ſame.

but to appoint a collector thereof;

XII. And be it further enacted by the authority aforeſaid, That the ſaid receiver or receivers, collector or collectors, to be appointed as aforeſaid, ſhall, on the laſt day of every month, pay over all and every the ſum and ſums of money by them reſpectively collected and received, to ſuch perſon or perſons as the ſaid truſtees, or any ſeven or more of them, ſhall, by any writing or writings under their hands and ſeals, authorize and empower to receive the ſame as treaſurer of the ſaid corporation, to be applied according to the true intent and meaning of this act, and not otherwiſe: And if the ſaid truſtees, or any ſeven or more of them, ſhall think proper to authorize and empower the receiver-general for the time being to receive the ſame, that, in ſuch caſe, the ſaid receiver-general ſhall be, and he is hereby made, reſponſible for all ſuch ſum and ſums of money as he ſhall receive under and by virtue of ſuch authority: And every ſuch collector or receiver ſhall fairly enter, in one or more book or books to be kept for that purpoſe, all and every ſum or ſums of money which they and every of them ſhall have reſpectively received, collected, levied, or paid, by virtue of the ſaid act, or by virtue of any power or authority in purſuance thereof, or by reaſon or means of the ſaid office, with the reſpective times of his or their receiving or paying the ſame; and ſhall upon oath (or affirmation, being one of the people called quakers), as often as required by the ſaid truſtees, or any three or more of them, before one or more juſtice or juſtices of the peace (which oath or affirmation ſuch juſtice or juſtices is and are hereby empowered to adminiſter), give a true, exact, and perfect account, in writing under his or their hand or hands, of all monies which he or they ſhall have collected, levied, received, or paid, by reaſon of the ſaid office; for which oath, or affirmation, no fee or reward ſhall be taken.

who is monthly to pay over the receipts to a treasurer appointed by the corporation.

Receiver-general made responsible, if appointed treasurer.

Collector to keep exact accounts,

and attest them.

Collector refusing to account and pay,

XIII. And be it further enacted by the authority aforesaid, That if any such collector or collectors, receiver or receivers, shall neglect or refuse to account for any sum or sums of money by him or them respectively collected, levied, or received, to the said trustees, or any seven or more of them, or to pay the same to such person or persons as they, or any seven or more of them, shall, by writing under their hands and seals, authorize and empower to receive the same, that then it shall and may be lawful to and for any justice or justices of the peace to inquire of and concerning such neglects, refusals, non-payments, and offences; and if any person or persons shall be convicted, by such justice or justices, of any such neglect, refusal, non-payment, or offence, then such justice or justices shall, upon such conviction, issue a warrant, under his or their hands and seals, to levy the same upon the goods and chattels of the person or persons so neglecting or refusing, and to detain and keep the same until such sum and sums of money, with the reasonable charges of such distress, shall be paid; and that it shall and may be lawful for the person or persons so distraining, after the space of six days next after such distress taken, to sell the goods so distrained, returning the overplus (if any) to the owner or owners thereof, after such sum and sums of money, and reasonable charges of distraining, keeping, and selling, shall be deducted; but if no goods and chattels can be found whereon to levy the same, then such justice or justices shall, by his warrant as aforesaid, commit such person or persons to the common gaol of the towns of St. Jago de la Vega or Kingston, there to remain, without bail or mainprise, until he or they shall have made a true and perfect account and payment as aforesaid.

a justice of peace to take cognizance thereof;

and, on conviction, to order distress and sale.

If sufficient distress not found, collector to be imprisoned till he accounts and pays.

Treasurer to keep exact accounts.

XIV. And be it further enacted by the authority aforesaid, That there shall be provided and kept, by the treasurer of the said corporation to be appointed pursuant to this act, one or more book or books, in which all monies received by him in virtue of this act, or for any the purposes thereof, and all payments and disbursements out of the same, by order and direction of the said trustees, or any seven or more, all which orders and directions shall be under their hands in writing, shall, from time to time, be fairly set down and entered, truly expressing the times when, and the names of the persons respectively from or to or by whom, the same were so received or disbursed, and for what uses or purposes: And that, four times at least in every year, *to wit*, the tenth day of January, the tenth day of April, the tenth day of July, and the tenth day of October, in every year, the account from the said books shall be fairly drawn out, stated, and signed by the treasurer, and delivered by him to the said trustees; which said trustees, or any seven or more of them, are hereby empowered to release and discharge such treasurer, so accounting, of all such monies as he shall so as aforesaid fairly and truly account for; and the said accounts, together with all copies of all contracts or agreements from time to time made by the said trustees, for any the purposes of this act, shall be delivered to the house of assembly

Disbursements to be made only by written orders of trustees.

Treasurer's accounts to be laid quarterly before the trustees,

and annually before the house of assembly, in

assembly once in every year, within twenty days after the opening of the session. twenty days after meeting.

XV. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners and trustees, or any seven or more of them, to raise, lower, or alter, from time to time, as need or occasion may be to answer the purposes of this act, the rates and duties made payable by the said toll; any thing in the said recited act, or any other act to the contrary in any wise notwithstanding. Trustees authorized to raise or lower the toll duties.

CAP. XXII.

An act for keeping in repair the harbour of Kingston, and for regulating the mooring of ships in the said harbour; and for restraining all masters or commanders of vessels, for the future, from heaving over-board ballast in any of the harbours or shipping-places in this island.—[22d December, 1775.] EXPIRED.

Anno regni Georgii tertii decimo septimo.

CAP. I.

An act declaring that the proclaiming martial law hath not made, nor shall make at any time or times hereafter, a discontinuance of suits and process at the common law; and to give effect to recognisances, respited, taken, or returnable, at or to the supreme court of judicature of this island; and to prevent an undue priority being had or obtained of judgments of the last May grand court, and the last June and September Cornwall assizes, over judgments to be obtained at the assizes to be holden for the county of Surrey, on the last Tuesday in October, in the present year of our Lord one thousand seven hundred and seventy-six.

[26th October, 1776.]

WHEREAS it was lately found necessary by his excellency the governor, with the advice of a council of war, for the safety and security of this island, to proclaim martial law; which was continued in force until the twenty-ninth day of August last, a time subsequent to the usual day of holding the supreme court of judicature on the last Tuesday in August last, on which day by law the said supreme court of judicature was holden: And whereas some doubts and difficulties have arisen, and Preamble.

and may ariſe, touching the continuance of ſuits, and proceſs depending before the ſaid ſupreme court, and actions that were and are to be tried there, and in the court of aſſize, oyer and terminer and gaol delivery, to be held at the town of Kingſton, in and for the county of Surrey, on the laſt Tueſday of October, in the preſent year of our Lord one thouſand ſeven hundred and ſeventy-ſix; and the continuing of recogniſances and criminal proceſs, returnable at the laſt court of aſſize, oyer and terminer and gaol delivery, for the county of Cornwall; and proceſs, both civil and criminal, returnable before the ſaid ſupreme court, and recogniſances for appearances at the ſame, and at the ſaid ſeveral courts of aſſize, oyer and terminer and gaol delivery: For obviating and preventing whereof, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, do moſt humbly beſeech your majeſty that it may be enacted and declared; Be it therefore enacted and declared by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and declared by the authority of the ſame, That the martial law being in force on the ſaid laſt Tueſday in Auguſt laſt, when the ſaid ſupreme court of judicature was then held, did not make, or cauſe to be made, a diſcontinuance of any ſuits or proceſs depending before the ſaid ſupreme court of judicature, or actions to be tried, or in the ſaid ſeveral courts of aſſize, oyer and terminer and gaol delivery, for the counties of Surrey and Cornwall; but that all actions, informations, indictments, and other ſuits, criminal or civil, or of any kind whatſoever, then depending or triable there, ſtood continued in as full and ample manner as if martial law had not been in force on the ſaid laſt Tueſday in Auguſt laſt; and alſo, that all writs and other proceſs, returnable in or to the ſaid ſeveral courts of aſſize and ſupreme court of judicature, ſhall be, or conſtrued to be, returned into the office of the clerk of the ſaid ſupreme court of judicature, and the office of the clerk of the crown, reſpectively, as if martial law had not been in force on the ſaid laſt Tueſday in Auguſt laſt; and that all *alias* and *pluries* writs and proceſs that have iſſued, bearing teſte the laſt Tueſday in Auguſt laſt, and returnable the laſt Tueſday in November next, did legally iſſue, and that *alias* or *pluries* writs or proceſs may iſſue, as the caſe may require, to bear teſte the laſt Tueſday in Auguſt laſt, and be returnable the laſt Tueſday in November next; and alſo, that the writs of *venire facias*, iſſued for the laſt court of aſſize, oyer and terminer and gaol delivery, held at Savanna-la-Mar, in and for the ſaid county of Cornwall, and for the court of aſſize, oyer and terminer and gaol delivery, to be holden the laſt Tueſday in October, in this preſent year of our Lord one thouſand ſeven hundred and ſeventy-ſix, did legally iſſue, although made to bear teſte the laſt Tueſday in Auguſt laſt, when martial law was in force; and that all actions wherein iſſue was joined, or wherein an aſſeſſment of damages ought to be, and the *viſne* laid for the counties of Cornwall and Surrey, or either of them, and tranſmitted to the ſaid courts of aſſize, oyer and terminer and gaol delivery, reſpectively, for trial, and tried at the court

Martial law, having been lately in force, not to make a diſcontinuance of ſuits.

Actions, &c. to ſtand continued.

Writs, &c. to be conſtrued to have been returned to clerks of court and crown.

Venire's for Cornwall aſſizes deemed to have legally iſſued.

Actions wherein iſſue was joined, or aſſeſſment of damages ought to be,

court of aſſize, oyer and terminer and goal delivery, held for the county of Cornwall, on the laſt Tueſday in September laſt, or to be tried at the court of aſſize, oyer and terminer and gaol delivery, to be holden in and for the ſaid county of Surrey, the laſt Tueſday in October, in this preſent year of our Lord one thouſand ſeven hundred and ſeventy-ſix, ſhall have the ſame force and effect as if martial law had been taken off before the laſt Tueſday in Auguſt laſt; and that all recogniſances for appearance of parties at the ſupreme court of judicature, which was holden on the laſt Tueſday in Auguſt laſt, ſhall be and are hereby reſpited, and day given to the parties, bound to appear the laſt Tueſday in Auguſt laſt, to the laſt Tueſday in November next; at which day, if the ſaid parties do not appear, that the perſon or perſons ſo not appearing, his, her, or their ſecurity or ſecurities reſpectively, ſhall be liable to the ſame forfeitures of recogniſances, and other penalties, as if the ſaid martial law had not intervened, and he, ſhe, or they, had made default; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding.

&c. to have the same effect as if no martial law in August last.

Recognisances respited;

and parties bound to appear on a future day.

II. And be it enacted and ordained by the authority aforeſaid, That the proclaiming of martial law ſhall not, at any time or times hereafter, make, or cauſe to be made, a diſcontinuance of any ſuits or proceſs, civil or criminal, then depending or being in any of the courts of this iſland; but that, if martial law ſhall actually be in force on any of the days and times that the ſupreme court of judicature ought to be held as appointed by law, that in all ſuch caſes, all ſuits and proceſs, civil or criminal, ſhall be continued, and all recogniſances reſpited, and all writs deemed and conſtrued to be returned, and, from the ceaſing and taking off martial law, ſhall be in as full force and effect, and the ſame proceedings had therein, and the uſual proceſs ſhall iſſue thereon, bearing ſuch teſte, and returnable in ſuch manner, as if the ordinary courſe of the law had been purſued, and martial law had not intervened, notwithſtanding ſuch teſte ſhall be on a day when the martial law was in full force and effect; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding: Provided always, That if either or any of the courts of aſſize, oyer and terminer and gaol delivery, for the counties of Surrey and Cornwall, ſhall at any time be not held on account of the martial law being then in force, the judgments to be obtained at the court of aſſize, oyer and terminer and gaol delivery, for any or either of the ſaid counties of Surrey and Cornwall, ſubſequent to the taking off martial law, and the writ of execution to be duly lodged thereon, ſhall have the ſame priority of judgment and execution as if they had been taken at the court of aſſize, oyer and terminer and gaol delivery, ſo prevented or ſuſpended by means of martial law; any thing herein before contained to the contrary in anywiſe notwithſtanding.

Martial law hereafter not to occasion a discontinuance of any process;

but suits to be continued, recognisances respited, and writs deemed returned.

Judgments in assize-courts to maintain priority, notwithstanding a court lost.

III. And whereas, by reaſon that the martial law was in force on the laſt Tueſday in July laſt, no action or ſuit was or could be tried at the court

court of aſſize, oyer and terminer and goal delivery, which ought to have been holden for the county of Surrey on the ſaid laſt Tueſday in July laſt: And whereas it is but juſt that his majeſty's ſubjects, who had actions and ſuits then and there depending, and to be there tried, ſhould not, by reaſon of ſuch martial law, ſuffer in point of priority: Be it therefore enacted and ordained by the authority aforeſaid, That all judgments to be obtained at the court of aſſize, oyer and terminer and gaol delivery, to be holden the laſt Tueſday in October, in the preſent year of our Lord one thouſand ſeven hundred and ſeventy-ſix, and whereon his majeſty's writ of execution ſhall iſſue, in the uſual manner, returnable and returned to the ſupreme court of judicature, to be holden on the laſt Tueſday in November next, ſhall have an equal priority and concurrent right with judgments obtained either at the ſupreme court of judicature, held at the town of St. Jago de la Vega, on the laſt Tueſday in May laſt, or the courts of aſſize, oyer and terminer and goal delivery, held at Savanna-la-Mar, in and for the county of Cornwall, on the laſt Tueſday in June laſt, and the laſt Tueſday in September laſt; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding.

Judgments of next Surrey aſſizes to have equal priority with thoſe of laſt May grand court and the two laſt Cornwall aſſizes.

CAP. II.

EXPIRED. *An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes.*—[21ſt December, 1776.]

CAP. III.

EXPIRED. *An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.*—[21ſt December, 1776.]

CAP. IV.

EXPIRED. *An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.*—[21ſt December, 1776.]

CAP. V.

EXPIRED. *An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes.*—[21ſt December, 1776.]

CAP. VI.

EXPIRED. *An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.*—[21ſt December, 1776.]

CAP.

CAP. VII.

An act to prevent improper levies being made on the negroes or other slaves of minors; and to regulate the sales of slaves taken on writs against persons who have only an estate for a term of years, or for their own lives, or for the lives of any other persons, in negro or other slaves.

[21st December, 1776.]

Preamble.

WHEREAS many abuses have been committed and injuries done to the estates of minors, by levies, made on the negro or other slaves belonging to such estates, for debts of other persons not chargeable on said estates, and to persons in remainder or reversion, by the sales of slaves levied on for debts of persons who have only an estate for a term of years, or for their own lives, or for the lives of some other persons, not only to the prejudice of such minors or persons intitled in remainder or in reversion, but to the great detriment of the credit of this island, and the prevention of the further improvement of it, by such slaves being, after such levies, sent off the island, or concealed from the person intitled to them as aforesaid: We, your majesty's most dutiful and loyal subjects the assembly of Jamaica, most humbly beseech your majesty that it may be enacted; Be it therefore enacted by the governor, council, and assembly, That, from and immediately after the passing this act, if any guardian or guardians, trustee or trustees, lessee or lessees, or other person or persons having possession of the estate of any minor or minors shall wilfully deliver up the slave or slaves of such minor or minors to the provost-marshal, or any of his deputies, or be wilfully aiding or assisting, or in any manner consenting, to the said provost-marshal, or any of his deputies, making a levy on the slave or slaves of such minor or minors, by virtue of any writ or writs whatsoever which hath or have been issued for such debts as such slave or slaves is or are not liable to, such guardian or guardians, trustee or trustees, lessee or lessees, or such other person or persons having possession of such estate, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall suffer such fine and imprisonment as the judges of his majesty's supreme court of judicature, or the justices of the assize or county courts of this island, where the offender shall be tried, shall think proper to inflict.

Persons wilfully delivering up slaves of minors, for satisfaction of writs to which they are not liable, declared guilty of a misdemeanor.

II. And be it further enacted by the authority aforesaid, That if the provost-marshal, or any of his deputies, shall corruptly or knowingly make a levy upon, and sell any slave or slaves of any minor or minors, upon any writ or writs whatsoever, which shall not be for such debt or debts as the estate or estates of such minor or minors are liable to, such provost-marshal, or such of his deputies, shall forfeit the sum of two hundred pounds

Provost-marshal knowingly making a levy upon such slaves, to forfeit 200*l*.

but if he takes them ignorantly, any judge of the grand court, upon application, may release such slaves;

for every ſlave ſo levied on: Provided always, That if the provoſt-marſhal, or any of his deputies, ſhall ignorantly, and without any evil deſign, make a levy on the ſlave or ſlaves of any minor or minors, by virtue of any writ or writs iſſued, for which the ſlave or ſlaves of ſuch minor or minors is or are not liable, it ſhall and may be lawful for the chief juſtice of this iſland for the time being, or any aſſiſtant judge of the ſupreme court of judicature for the time being, on the application of the guardian or guardians, truſtee or truſtees, leſſee or leſſees, of ſuch minor or minors, or of any other perſon or perſons in the poſſeſſion of the eſtate of ſuch minor or minors, and on due proof that the ſlave or ſlaves, ſo levied upon, are not liable for ſaid debt, to order the ſaid ſlave or ſlaves, ſo levied upon, to be delivered back; and in all caſes where the proof may not be fully made out, or be doubtful, to prevent any ſale being made of any ſuch ſlave or ſlaves, until the party or parties, plaintiff or plaintiffs, or perſons otherwiſe intitled to the benefit of ſuch writ or writs, ſhall make it appear, upon a full hearing of all parties in the ſupreme court of judicature of this iſland, that ſuch ſlave or ſlaves is or are liable to ſuch writ or writs: And in caſe any guardian or guardians, truſtee or truſtees, leſſee or leſſees, or any other ſuch perſon or perſons as aforeſaid, knowing ſuch levy to have been made, ſhall wilfully neglect his, her, or their duty herein, and not, before ſale of ſuch ſlave or ſlaves, make ſuch application as aforeſaid, ſuch guardian or guardians, truſtee or truſtees, leſſee or leſſees, or ſuch other perſon or perſons in poſſeſſion of the eſtate of ſuch minor or minors, ſhall be deemed to be aiding, aſſiſting, or conſenting to, ſuch levy, and, on conviction thereof, ſhall ſuffer in the ſame manner as if he, ſhe, or they, had been guilty of wilfully delivering up ſuch ſlave or ſlaves to the ſaid provoſt-marſhal, or his deputy.

and, where title doubtful, may prevent the sale till adjusted in the grand court.

Guardians, &c. delaying application, deemed abettors;

and to be punished accordingly.

If no assistant judge found within twelve miles, the custos, or any judge of the common pleas, authorized to act in his stead.

III. And be it further enacted by the authority aforeſaid, That in caſe no aſſiſtant judge ſhall happen to be met with within twelve miles of the place or eſtate where ſuch levy ſhall have been ſo made, that then it ſhall and may be lawful for the cuſtos of the pariſh or precinct, or, in his abſence, the chief judge or any of the aſſiſtant judges of the court of common pleas in the ſaid pariſh or precinct, to act in the ſame manner, and with the ſame powers given to the chief juſtice or any aſſiſtant judge of the ſupreme court of judicature, on the application being made to him by ſuch guardian or guardians, truſtee or truſtees, leſſee or leſſees, or other perſon or perſons having poſſeſſion of ſuch eſtates as aforeſaid: And the provoſt-marſhal, and his deputy, are hereby required, under the penalty of five hundred pounds, to poſtpone the ſale of any ſlave or ſlaves, ſo taken, for thirty days, on notice being given, in writing, that ſuch application hath been or will be made within ten days after ſuch notice.

Sale of slaves to be delayed thirty days, if notice given of application.

IV. And be it enacted by the authority aforeſaid, That whenever the provoſt-marſhal, or his deputy, ſhall make a levy on the ſlave or ſlaves in the

the poſſeſſion of any perſon or perſons who have only an eſtate for a term of years, or for his, her, or their own life or lives, or for the life or lives of any other perſon or perſons, in ſuch ſlave or ſlaves, the ſaid provoſt-marſhal, or his deputy, knowing the ſlave or ſlaves ſo levied on to be thus circumſtanced, or being ſo informed upon oath by the debtor or any other perſon whatſoever, is hereby required, under the penalty of five hundred pounds, to give public notice, at the time of ſale, to every perſon attending as a purchaſer, that the debtor or defendant hath only ſuch eſtate as aforeſaid in ſuch ſlave or ſlaves ſo levied on, and to be ſold by him: And, after ſuch ſale, and before delivery, the purchaſer or purchaſers of ſuch ſlave or ſlaves ſhall give ſecurity, by entering into a bond to our ſovereign lord the king, his heirs and ſucceſſors, in the penalty of two hundred pounds for every negro or other ſlave ſuch perſon ſhall purchaſe, that he will not for himſelf ſhip, or, for his uſe or benefit, cauſe or conſent to have ſuch ſlave or ſlaves ſhipped or ſent from this iſland, or concealed within the ſame, and that he will not ſell or diſpoſe of ſuch ſlave or ſlaves to any other perſon or perſons, to be by him, her, or them ſhipped off, or ſent from this iſland, or concealed within the ſame; which bond ſhall be lodged in the office of the ſecretary of this iſland, for the uſe and benefit of the perſon or perſons who may have the right in remainder or reverſion in and to ſuch ſlave or ſlaves.

Slaves being ſold on account of perſons who have only a temporary right in them, provoſt-marſhal to give public notice thereof.

Before delivery, purchaſers to give bond that ſuch ſlaves ſhall not be tranſported or concealed.

Bond to lie in the ſecretary's office.

V. And be it enacted by the authority aforeſaid, That if any purchaſer or purchaſers ſhall afterwards ſhip off, or ſend from this iſland, or conceal within the ſame, or ſell ſuch ſlave or ſlaves to any other perſon or perſons with any ſuch intent, or for any ſuch purpoſe, ſuch purchaſer or purchaſers, and perſon or perſons purchaſing from him, her, or them, with ſuch intent, ſhall be deemed guilty of a miſdemeanor, and, on conviction thereof, ſhall ſuffer ſuch fine and impriſonment as the judges of his majeſty's ſupreme court of judicature, or the juſtices of the aſſize or county courts in this iſland, where the offender ſhall be tried, ſhall think proper to inflict.

Purchaſers afterwards ſhipping or concealing them, or conniving thereat, to be fined and impriſoned;

VI. And it is hereby declared to be the true intent and meaning of this act, That no fine or impriſonment, which the offender or offenders againſt this act may ſuffer, ſhall do away ſuch bond given as before required; but that the ſame ſhall remain in full force and virtue againſt him, her, or them, for the recovery of ſuch damages as it may appear the perſon or perſons intitled in remainder or reverſion hath or have ſuffered.

notwithſtanding which, bond to remain in full force.

VII. And be it enacted by the authority aforeſaid, That when any negro or other ſlaves are taken upon any writ or writs of *venditioni exponas*, the provoſt-marſhal, or his deputy, ſhall give public notice, at leaſt fifteen days before the ſale of ſuch ſlaves (which notice ſhall be written fair, and fixed up in two of the moſt public places in the pariſh where ſuch ſlaves are to be ſold), ſetting forth in ſuch notices the day of ſale, and upon what writ

Provoſt-marſhal to give fifteen days notice of intended ſale of negroes taken on *venditioni exponas*.

or writs, and againſt whom, ſuch ſlaves have been levied on, under the penalty of five hundred pounds.

Application of penalties.

VIII. And be it further enacted by the authority aforeſaid, That all and every of the penalties herein-before mentioned ſhall be, one moiety to his majeſty, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof, and the other moiet yto him, her, or them, who ſhall ſue for the ſame.

CAP. VIII.

EXPIRED. *An act for eſtabliſhing and declaring rules and articles of war; and for other purpoſes therein mentioned.*—[21ſt December, 1776.]

CAP. IX.

EXPIRED. *An act to encourage perſons to keep veſſels for tranſporting goods about this iſland, and to prevent abuſes being committed by the maſters or commanders of ſuch veſſels; and to regulate wharfingers and others ſhipping ſuch goods.*—[21ſt December, 1776.]

CAP. X.

EXPIRED. *An act for the better order and government of the negroes belonging to the ſeveral negro-towns, and for preventing them from purchaſing of ſlaves; and for encouraging the ſaid negroes to go in purſuit of runaway ſlaves; and for other purpoſes therein mentioned.*—[21ſt December, 1776.]

CAP. XI.

An act to empower the veſtry of the pariſh of Kingſton to remove their preſent ruinous court-houſe, and to rent, purchaſe, or build, another, at the expence of the ſaid pariſh.

[21ſt December, 1776.]

Preamble.

WHEREAS the court-houſe of the pariſh of Kingſton is at preſent in a ruinous condition, and the inhabitants have not a place wherein to tranſact their parochial buſineſs: Be it therefore enacted by the governor, council, and aſſembly of this iſland, and it is hereby enacted by the authority of the ſame, That the magiſtrates and veſtrymen of the ſaid pariſh, or the veſtry for the time being, are hereby authorized and empowered to take down and remove the ſaid ruinate court-houſe, or to ſell the ſame as it now ſtands, or the materials thereof, for the moſt money they can: And the ſaid magiſtrates and veſtrymen, or the veſtry for the time being, are hereby further empowered to rent, purchaſe, or build, a proper and convenient court-houſe for tranſacting their parochial buſineſs; and, from time to time, to keep the ſame in repair, or to make ſuch alterations therein, or additions thereto, as they may find neceſſary;

Veſtry of Kingſton enabled to remove or ſell the old court-houſe;

to rent, purchaſe, or build, a new one;

to keep it in repair;

ſary; and to raiſe ſuch ſums of money as may be requiſite for the purpoſes aforeſaid, under the ſame powers and authorities by which the parochial taxes are raiſed. and to lay taxes for those purposes.

CAP. XII.

An act for appointing Stephen Fuller, eſquire, agent in Great-Britain, to ſolicit the paſſing of laws, and for tranſacting in Great-Britain other public affairs of this iſland; and for empowering certain members of the council and aſſembly, during the intervals of aſſembly, from time to time, as occaſion ſhall be, to give inſtructions for ſuch his management.—[21ſt December, 1776.] EXPIRED.

CAP. XIII.

An act to enable the juſtices of aſſize, in the ſeveral counties in this iſland, to appoint auditors, and to give judgment in actions of account.—[21st December, 1776.]

WHEREAS, in the act entitled, *An act for dividing the iſland of Jamaica into three counties; and for appointing juſtices of aſſize and oyer and terminer in two of the ſaid counties*, it hath been omitted to give power and authority to the juſtices of aſſize in the counties of Surrey and Cornwall, in actions of account brought to trial before them, where verdicts are found that the defendants are accountable, to appoint auditors, and to receive returns from them; to the great prejudice of ſuitors in ſuch actions: May it pleaſe your majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That, for the future, the ſeveral juſtices of aſſize, in the ſeveral counties of this iſland, ſhall [*be authorized and empowered*], in all actions of account brought down for trial before them, immediately upon verdicts being returned that the defendants are accountable, to name and appoint auditors, and to receive their returns, and give final judgment thereon, in the ſame manner and form as the judges of the ſupreme court now do; and ſuch judgments ſhall be of the ſame force and effect as any other judgments of the ſame court; any thing in this or any other act to the contrary thereof in anywiſe notwithſtanding. 31 Geo. II. cap. 4. Juſtices of aſſize authorized to appoint auditors; to receive returns from them, and give judgment thereon.

II. And be it further enacted by the authority aforeſaid, That, for the future, in all actions of account where judgment ſhall paſs for the plaintiff, as aforeſaid, the writ or writs directed to the auditors ſhall be made returnable immediate before the juſtices of aſſize where ſuch judgment ſhall be obtained, if the plaintiff or plaintiffs ſhall ſo deſire; any thing in this or any other law to the contrary thereof notwithſtanding. Writs directed to auditors may be made returnable immediate before juſtices of aſſize.

CAP.

CAP. XIV.

EXPIRED. *An act to authorize and empower the juſtices and veſtry of the ſeveral pariſhes of this iſland to make and erect pounds, for the better ſecuring of all ſtrays of horſes, mares, mules, aſſes, and horned cattle, belonging to the inhabitants of this iſland.*—[21ſt December, 1776.]

CAP. XV.

EXPIRED. *An act to enable his excellency ſir Baſil Keith, knight, captain-general, governor, and commander in chief of this iſland, and the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time.*—[21ſt December, 1776.]

CAP. XVI.

An act to avoid unnecessary delays of execution.

[21ſt December, 1776.]

Preamble. WHEREAS doubts have ariſen, or may ariſe, whether the ſeveral ſtatutes of the realm of England, and herein after mentioned, that is to ſay, an act entitled, "An act to avoid unneceſſary delays of execution," made and paſſed in the third year of the reign of king James the firſt; one other, entitled, "An act for prevention of vexations and oppreſſions by arreſts, and of delays in ſuits of law," made and paſſed in the thirteenth year of the reign of king Charles the ſecond; and one other act, entitled, "An act to prevent arreſts of judgments, and ſuperſeding executions," made and paſſed in the ſixteenth and ſeventeenth years of the reign of king Charles the ſecond; or ſuch part or parts thereof as reſpect the *ſuperſedeas* or ſtay of writs of execution upon judgments, have been extended, or do extend, to this iſland, although ſome parts of the ſaid recited acts, ſome or one of them, have been actually received in this iſland: And whereas, on account of the laws of this iſland reſpecting priorities, and the uſual applications of monies or levies on writs of *venditioni exponas*, the proviſions of the ſaid acts, reſpecting the *ſuperſedeas* or ſtay of writs of execution, are more immediately neceſſary here than in Great-Britain, and will tend to increaſe the credit of this iſland; many of his majeſty's ſubjects having often been, and are, in danger of loſing their juſt debts, by means of writs of error: For remedy whereof, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of Jamaica, do moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That, from and after the paſſing of this act, no execution ſhall be

When judgment obtained in matter

delayed or ſtayed upon or by any writ of error or *ſuperſedeas*, thereon

to

to be iſſued, for the reverſing any judgment given, or to be given, in any action, bill of debt upon any ſingle bond for debt, or upon any obligation with condition for the payment of money only, or upon any action or bill of debt for rent, or upon any contract or bond to the king, given or entered into by any law, cuſtom, or uſage, of this iſland, or in any action upon the caſe upon any promiſe for payment of money, actions of trover, actions of covenant, detinue and treſpaſs, or in any action perſonal whatſoever, ſued in his majeſty's ſupreme court of judicature of this iſland, or in any of the courts of aſſize of this iſland, or tried there, unleſs ſuch perſon or perſons in whoſe name or names ſuch writ of error ſhall be brought, or ſome perſon repreſenting him, her, or them, in this iſland, other than the attorney at law, with two ſufficient ſecurities, ſuch as the court wherein ſuch judgment is or ſhall be given ſhall allow of, or ſuch as ſhall be approved of by the perſon or perſons intitled under this act to take the ſame, over and above the uſual ſecurity heretofore given in the office of the regiſter of the high court of chancery of this iſland, ſhall firſt, before ſuch ſtay made or *ſuperſedeas* to be awarded, be bound, unto the party for whom any ſuch judgment is or ſhall be given, by recogniſance, to be acknowledged in the ſame court, or before the chief judge of his majeſty's ſupreme court of judicature of this iſland, or, in his abſence, before one of the aſſiſtant judges of the ſaid ſupreme court, or before a juſtice of aſſize, oyer and terminer and general goal delivery, in double the ſum adjudged to be recovered by the ſaid judgment, to proſecute the ſaid writ of error with effect; and alſo to ſatisfy and pay, if the ſaid judgment be affirmed, all and ſingular the debts, damages, and coſts adjudged, or to be adjudged, upon the former judgment, and all coſts and damages to be awarded for the ſame, delaying of execution, or upon any diſcontinuance of ſuch writ of error in default of the plaintiff or plaintiffs therein, or non-proſs, or non-ſuit therein.

of debt, execution not to be delayed by writ of error or *ſupersedeas*,

until plaintiff in error, or his repreſentative (which muſt not be the attorney at law), with two approved ſecurities, beſides uſual ſecurity,

becomes bound to proſecute it to effect,

and to pay the *extra* charges, if judgment affirmed.

II. And be it further enacted by the authority aforeſaid, That, in writs of error to be brought upon any final judgment, after verdict or by default, in any writ of dower or partition, or in any action of *ejectione firmæ*, no writ of execution ſhall be thereupon or thereby ſtayed, unleſs the plaintiff or plaintiffs in ſuch writ of error, or ſome perſon repreſenting him, her, or them, in this iſland, other than the attorney at law, ſhall, over and above the uſual ſecurity heretofore given in the ſaid office of the regiſter of the high court of chancery of this iſland, be bound, unto the plaintiff or plaintiffs in ſuch writs of dower and partition, or the leſſor or leſſors of the plaintiff in ſuch action of *ejectione firmæ*, in ſuch reaſonable ſum as the court wherein ſuch judgment is or ſhall be given, or the chief judge of the ſaid ſupreme court of judicature, or, in his abſence, one of the judges of the ſaid ſupreme court, or a juſtice of aſſize, and oyer and terminer and general gaol delivery, ſhall think fit; with condition, that if the judgment ſhall be affirmed in the ſaid writ of error, or that the ſaid writ be diſcontinued in default of the plaintiff or plaintiffs therein, or that the ſaid plaintiff or plaintiffs

Similar reſtrictions in writs of dower, partition, and ejectment.

tiffs be non-ſuit or non-proſs in ſuch writs of error, that then the ſaid plaintiff or plaintiffs ſhall pay ſuch coſts, damages, ſum and ſums of money, as ſhall be awarded upon or after ſuch judgment affirmed, diſcontinuance, non-ſuit, or non-proſs had.

If writ of error quashed, court which gave judgment to issue writ of inquiry, and award damages and costs.

III. And, to the end that the ſame ſum and ſums of money and damages may be aſcertained, It is further enacted by the authority aforeſaid, That the ſaid court wherein ſuch execution ought to be granted, upon ſuch affirmation, diſcontinuance, non-proſs or non-ſuit, ſhall iſſue a writ to inquire as well of the meſne profits as of the damages by any waſte committed after judgment in dower, partition, or in *ejectione firmæ*, as aforeſaid; and, upon the return thereof, judgment ſhall be given, and execution awarded, for ſuch meſne profits and damages, and alſo for coſts of ſuit: Provided, That this act, or any thing therein contained, ſhall not extend to any writ of error to be brought by an executor or adminiſtrator, nor unto any action popular, nor unto any other action which is, or hereafter ſhall be, brought upon any penal law or ſtatute, nor to any indictment, preſentment, inquiſition, information, or appeal; any thing herein before contained to the contrary thereof in anywiſe notwithſtanding.

This act not to extend to certain specified actions.

CAP. XVII.

EXPIRED. *An act for encouraging the manufacturing of* agnus caſtor, *or nut-oil.*—[21ſt December, 1776.]

CAP. XVIII.

An act to repeal an act entitled, "An act to repeal a clauſe in an act entitled, 'An act for obliging the juſtices and veſtry of the pariſh of St. Mary to make good certain deficiencies to the public; and for altering the day of electing veſtrymen and churchwardens in the ſaid pariſh;' and to appoint a day in each year for the chooſing veſtrymen, and other parochial officers in the ſaid pariſh;" and to appoint a certain day in each year for that purpoſe.

[21ſt December, 1776.]

Preamble.

WHEREAS the act entitled, *An act to repeal a clauſe in an act entitled, "An act for obliging the juſtices and veſtry of the pariſh of St. Mary to make good certain deficiencies to the public; and for altering the day of electing veſtrymen and churchwardens in the ſaid pariſh;" and to appoint a day in each year for the chooſing veſtrymen, and other parochial officers, in the ſaid pariſh,* paſſed in the year of our Lord one thouſand ſeven hundred and ſixty-four, has not anſwered the end for which it

it was intended, but has been found to be a very great inconvenience to the people, by means of the great rains at the time of the year on which the public buſineſs appointed by the ſaid act is to be carried on: We, therefore, your majeſty's moſt dutiful and loyal ſubjects, the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, humbly beſeech your majeſty that it may be enacted, and be it enacted and ordained by the authority aforeſaid, That the ſaid act, and every clauſe, matter, and thing, therein contained, be, and the ſame is hereby, repealed. Repeal of recited act.

II. And be it further enacted by the authority aforeſaid, That the freeholders of the pariſh of St. Mary aforeſaid ſhall meet on the third Thurſday in March in every year, for the purpoſes of chooſing veſtrymen, and other parochial officers, for the ſaid pariſh, inſtead of the ſecond Thurſday in March; any thing in the above-recited act, or any other act, law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding. Parochial officers to be chosen on the third Thursday in March.

III. And be it further enacted by the authority aforeſaid, That the preſent churchwardens and veſtrymen in the ſaid pariſh ſhall continue to act until the third Thurſday in March, which will be in the year of our Lord one thouſand ſeven hundred and ſeventy-ſeven; any thing in this act to the contrary notwithſtanding. Time of the present officers extended.

CAP. XIX.

An act to enable the juſtices and veſtry of the pariſh of Kingſton to avail the inhabitants of the town of Kingſton of the grant of Hope Plantation water, made to the ſaid town by his late honour Roger Hope Elletſon, eſquire, deceaſed, late lieutenant-governor of this iſland; and to conduct the ſaid water to and through the ſaid town, and the places adjacent thereunto.—[21ſt December, 1776.] DISALLOWED.

CAP. XX.

An act for paying the non-commiſſioned officers and private men of the militia.—[21ſt December, 1776.] EXPIRED.

CAP. XXI.

An act for amending the ſeveral highway laws.—[21ſt December, 1776.] EXPIRED.

CAP. XXII.

An act empowering any one of the judges of the ſupreme court of judicature to take the examination of witneſſes leaving this iſland, in any action brought or to be brought for the recovery of debts actually in ſuit, in the ſame manner as if ſuch examination had been taken and returned under the ſeal of the city of London, purſuant to an act of parliament paſſed in the fifth year of the reign of George the ſecond.—[21ſt December, 1776.] EXPIRED.

CAP. XXIII.

An act for adding commissioners to those already made a body corporate, in and by a certain act entitled, "An act for making certain commissioners, nominated and appointed in and by an act entitled, 'An act [to repeal an act entitled, "An act for building a bridge over the Rio Cobre;" and] *for building a bridge over the Rio Cobre, in the parish of St. Catherine; and for other purposes therein mentioned,' a body politic and corporate; and to enable them to raise a certain sum of money upon the toll in the said act mentioned; and for other purposes therein mentioned;" and to enable the said corporation to borrow a further sum of money, not exceeding five thousand pounds, for the purposes in the said act mentioned; and to enable the said corporation to purchase land, not exceeding one acre, and to build a toll-house thereon.*

[21st December, 1776.]

Preamble.

16 *Geo.* III. *cap.* 21.

WHEREAS an act was made in the laſt ſeſſion of this preſent aſſembly, entitled, *An act for making certain commiſſioners, nominated and appointed in and by an act entitled, "An act to repeal an act entitled, 'An act for building a bridge over the Rio Cobre;' and for building a bridge over the Rio Cobre, in the pariſh of St. Catherine; and for other purpoſes therein mentioned," a body politic and corporate; and to enable them to raiſe a certain ſum of money upon the toll in the ſaid act mentioned; and for other purpoſes therein mentioned:* And whereas, ſince the making the ſaid recited act, it has been experienced that there are not a ſufficient number of truſtees or commiſſioners, reſident in or near the town of St. Jago de la Vega, to carry the ſaid act into execution: And whereas the truſtees or commiſſioners appointed for the purpoſe of carrying the ſaid act into execution, or any ſeven or more of them, are thereby enabled, as a corporation or company, to borrow or take up at intereſt a ſum not exceeding the ſum of five thouſand pounds, and to ſecure the ſame, by indenture of mortgage, upon the toll in the ſaid act mentioned and in them veſted, at and after ſuch rate, and ſubject to ſuch reſtrictions and proviſoes, as therein mentioned; and the ſaid corporation are thereby alſo empowered, at any time or times, to convey and aſſign over, by way of mortgage, the tolls, revenues, profits or incomes thereof, and in the ſaid act mentioned, unto ſuch perſon or perſons as would undertake, contract, and agree, to do and perform the work neceſſary to be done, and in the ſaid act

act mentioned, upon giving the ſecurity by the ſaid act required to perform the ſame: And whereas it is neceſſary that the ſaid corporation ſhould have power and authority to raiſe and borrow a further ſum of five thouſand pounds, for the purpoſes in the ſaid act mentioned: And whereas a toll-houſe will be uſeful and neceſſary for the reſidence of a toll-keeper at the Ferry, or place of receiving the toll in the ſaid act mentioned, and for the uſe of the ſaid corporation or company; and it will be neceſſary to purchaſe a certain quantity of land, not exceeding one acre, whereon to erect and build ſuch houſe, and to lay out a ſum of money in ſuch purchaſe and building as aforeſaid, not exceeding the ſum of one thouſand five hundred pounds: Wherefore, to the end and intent, and for the purpoſes aforeſaid, and that the deſign intended by the ſaid act, and ſo uſeful to his majeſty's ſubjects, and the public in general, may be carried into execution as effectually as may be, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of Jamaica, moſt humbly beſeech your majeſty that it may be enacted, and be it enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and by the authority of the ſame, That, from and after the paſſing of this act, the honourable Richard Welch, eſquire, John Brownrigg, John Grant, James Ridge, George Crawford Ricketts, Peter Ramſay, and Lewis Knight, eſquires, and each and every of them, ſhall be, and they are hereby appointed, commiſſioners for all and every the purpoſes in the ſaid act mentioned; and ſhall be, and they are hereby appointed, part of the ſaid corporation or company, with all the powers and authorities whatſoever in the ſaid act, or any other act contained, and that as fully, amply, and effectually, as if they and each of them had been particularly named and ſet down in the ſaid act; [*any thing in the ſaid act*], or any other act, law, cuſtom, or uſage, to the contrary notwithſtanding.

Additional commissioners appointed, with equal powers as the former.

II. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the commiſſioners in the ſaid recited act, or this or any other or former act, mentioned and ſet forth, and their ſucceſſors, or any ſeven or more of them, and they are hereby empowered, by indenture or writing under their common ſeal, to convey and aſſure the ſaid toll in the ſaid act mentioned, and veſted or intended to be veſted in the ſaid corporation, as a ſecurity for any further or other ſum or ſums of money, by the ſaid corporation to be borrowed, not exceeding the ſum of five thouſand pounds, for the ends and purpoſes in the ſaid recited act mentioned, to any perſon or perſons, natives or foreigners, bodies politic or corporate, that ſhall or will lend or advance the ſame, for ſecuring the re-payment thereof, with intereſt, not exceeding the rate of ſix pounds *per centum per annum*.

Commissioners enabled to convey tolls as security for any further loan.

III. And be it further enacted by the authority aforeſaid, That in caſe ſuch ſum and ſums of money, ſo as aforeſaid to be raiſed and borrowed under and by virtue of this act, ſhall not be ſo raiſed and borrowed according to the

Receiver general authorized to lend unappropri-

ated public money for the purposes of this act.

the purport, true intent, and meaning hereof, in the manner and mode prescribed by this act, that it shall and may be lawful to and for William Dunlop, esquire, the receiver-general, or the receiver-general for the time being, and he is hereby directed and empowered, to advance and lend such further and other sum and sums of money as aforesaid, not exceeding the said sum of five thousand pounds, or such part thereof as may be wanting for the purposes aforesaid, out of any of the monies in his hands unappropriated; which sum and sums of money, so to be lent and advanced as aforesaid, shall be payable in such mode and manner, and secured and made payable and assignable, as if the same had been lent and advanced by any person or persons, body politic or corporate, as aforesaid; any thing in this act, or any other act, to the contrary in anywise notwithstanding; and the said receiver-general shall be, and he is hereby, indemnified in so doing.

Corporation enabled to purchase land for,

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said corporation to agree with the owner or owners, occupier or occupiers of, and other persons interested in, any land or ground they shall judge fit to be purchased for the purpose of erecting such house as aforesaid for a toll-house, and the use of the said corporation, not exceeding one acre of land, and purchase the same for such reasonable price or consideration as, between them and the said owners and occupiers of, and other persons interested in, the same, shall be agreed upon, and to

and erect, a toll-house.

erect and build, or cause to be erected and built thereon, a house for a toll-house and the use of the said corporation; the expences, costs, and charges,

Limitation of expence.

of such land and house not to exceed in the whole the sum of fifteen hundred pounds, and to be paid out of the monies to be raised and borrowed by virtue of this act: And in case such owner or owners, occu-

If disagreements arise about the land fixed on by commissioners,

pier or occupiers of, and other persons interested in, such land or ground, shall refuse to sell the same for the purposes aforesaid, or disagree about the price or value of the same, that then it shall and may be lawful for any justice of the peace of the parish of St. Catherine, upon any application to him made by any seven or more of the said corporation, to issue his warrant, to any lawful constable of the said parish of St. Catherine, to summon a jury of twelve good and lawful men personally to be and appear at

they are to be settled by a jury.

such time and place as in the said warrant shall be expressed; who, upon their oaths (which oaths the said justice is hereby empowered and authorized to administer), shall, with most conveniency for the purpose aforesaid, and least prejudice or damage to such owner or owners, occupier or occupiers of, and other persons interested in, such land or ground, view and lay out a proper spot for the purpose aforesaid, and to value and appraise the same; and the valuation and appraisement thereof shall be paid, by the said corporation, out of the monies to be raised and borrowed by virtue of this act: And if any justice, constable, or juryman, shall neglect his duty herein,

Penalty on justices, &c. neglecting their duty herein.

every such justice shall forfeit the sum of fifty pounds, and every constable and juryman the sum of five pounds, for every offence: Which said for-

feitures

feitures ſhall be applied to the uſe of the ſaid corporation; and be recoverable, againſt ſuch conſtable or juryman, or any of them, by warrant of diſtreſs, to be iſſued under the hand and ſeal of any one juſtice of the peace; and againſt ſuch juſtice, by bill, plaint, or information, in the ſupreme court of judicature of this iſland. Application and recovery thereof.

V. And be it further enacted by the authority aforeſaid, and it is hereby enacted and declared, That this act ſhall be deemed and allowed to be a public act, and be judicially taken notice of as ſuch by all judges, juſtices, and other perſons, without ſpecially pleading the ſame. Public act.

CAP. XXIV.

An act to amend an act entitled, "An act for the prevention of indebted perſons from departing this iſland in the time of martial law; and to empower the judges and juſtices to exerciſe their ſeveral offices in certain caſes; and to empower the juſtices and veſtry, and churchwardens, and ſurveyors of highways, to diſcharge their ſeveral duties; and to enable landlords to diſtrain for rent, notwithſtanding martial law."—[21ſt December, 1776.] EXPIRED.

CAP. XXV.

An act to appoint inſpectors for regulating the allowance given to priſoners confined in gaol, and for granting an additional allowance for the ſupport of negroes confined in gaol, for a limited time.—[21ſt December, 1776.] EXPIRED.

CAP. XXVI.

An act to repeal part of an act entitled, "An explanatory act for the further encouraging the ſettling the pariſh of Portland;" and for the other purpoſes therein mentioned.

[21ſt December, 1776.]

WHEREAS, by the ſecond clauſe of an act entitled, *An explanatory act for the further encouraging the ſettling the pariſh of Portland*, it is enacted, That, in order to enlarge the time for ſuch as ſhall become ſettlers there to carry on their ſaid ſettlements, and to explain what ſhall be deemed a ſettlement within the meaning of the ſaid acts, the governor, or commander in chief for the time being, ſhall grant to every perſon willing to become a ſettler within the tract of land of thirty thouſand acres, mentioned in the ſaid acts, a quantity of land, not exceeding five hundred acres, in proportion to the number of negroes and white men they are willing and ready to put thereon, and perfect the ſettlement thereof, and alſo a lot of land in the town of Titchfield, to them, their heirs and aſſigns, for ever; with a condition or proviſo in the ſaid grant, That every perſon, ſo patenting any parcel of land, ſhall be obliged to build 12 Geo. I. cap. 10. Recital of *clauſe 2 of the above act.*

build and erect a houſe on ſuch lot in the ſaid town within ſix months from the date of ſuch his patent, and to maintain and repair the ſame; and to keep one white perſon actually reſiding thereon, at the leaſt, for and during the term of four years from and after the expiration of the ſaid ſix months; and alſo to begin and carry on a ſettlement on his ſaid land, in proportion to the number of acres in it, *viz.* two negroes for every hundred acres in his ſaid grant; and, if it contains five hundred acres, then with one white man and ten negroes at the leaſt, within the firſt twelve months after the date of ſuch his patent; and alſo one other white man and ten negroes more, at the leaſt, on the ſaid land, yearly and every year after, till ſuch time as he hath put and ſettled thereon one white man and ten negroes for every hundred acres contained in his grant, and ſo in proportion for a greater or leſſer number of acres; under the penalty of forfeiting all the lands, ſo to him or them granted, and all his or their right or title thereto, to his majeſty, his heirs and ſucceſſors, and by him to be re-granted, according to the terms, limitations, and reſtrictions in this act, to ſuch other perſons as ſhall deſire the ſame; any thing in the ſaid acts to the contrary notwithſtanding: And whereas the terms, limitations, and reſtrictions, upon which lands in the ſaid pariſh have been heretofore granted, are found by experience to be very burthenſome, and to require a greater capital ſum than many perſons are poſſeſſed of, who would willingly ſettle there; to the great detriment of this iſland, as well as to the trade of Great-Britain: We, your majeſty's moſt dutiful and loyal ſubjects, the governor, council, and aſſembly of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the authority of the ſame, That the ſaid herein-before recited clauſe, and every part, matter, and thing, therein contained, be, and the ſame are hereby, repealed, annulled, and made void; any thing therein contained to the contrary notwithſtanding.

Above recited clause repealed.

II. And, in order further to encourage all white perſons that may hereafter become ſettlers in the ſaid pariſh of Portland, as well as ſuch white perſons who are now carrying on ſettlements there, and have not yet fully complied with the terms, limitations, and reſtrictions, which were required by the herein-before recited clauſe, and to explain what ſhall henceforth be deemed a ſettlement within the meaning of the two ſeveral acts of this iſland, the one entitled, *An act for ſettling the north-eaſt part of the iſland*, and one other act entitled, *An act for encouraging white people to come over and become ſettlers in this iſland, and for the more eaſy and ſpeedy ſettling the north-eaſt part thereof*, Be it therefore enacted by the authority aforeſaid, That the governor, or commander in chief for the time being, ſhall grant to every white perſon willing to become a ſettler within the tract of land of thirty thouſand acres, mentioned in the ſaid acts, or upon any other of the unſettled lands in the ſaid pariſh of Portland, a quantity of land, not exceeding five hundred acres, in proportion to the number of negroes and white men they are willing and ready to put thereon, and perfect the ſettlement

5 *Geo.* I. cap. 8. 10 *Geo.* I. cap. 8.

Unſettled lands to be granted in parcels, not exceeding five hundred acres, proportionably to the per-

tlement thereof, and alſo a lot of land in the town of Titchfield, to them, their heirs and aſſigns, for ever; with a condition or proviſo in the ſaid grant, That every white perſon, ſo patenting any parcel of land, ſhall be obliged to build and erect a houſe on ſuch lot in the ſaid town within nine months from the date of ſuch his patent, and to maintain and repair the ſame; and to keep one white perſon actually reſiding thereon, at the leaſt, for and during the term of three years from and after the expiration of the ſaid nine months; and alſo to begin and carry on a ſettlement on his ſaid land, in proportion to the number of acres in it, *viz.* one negro for every hundred acres in his ſaid grant; and, if it contains five hundred acres, then one white perſon and five negroes, at the leaſt, within the firſt twelve months after the date of ſuch his patent, and five negroes more, at the leaſt, on the ſaid land, within two years from the date of ſuch his patent; and one white perſon and five negroes more, at the leaſt, on the ſaid land, within three years from the date of ſuch his patent; and five negroes more, at the leaſt, on the ſaid land, within four years from the date of ſuch his patent; and ſo in proportion for a greater or leſſer number of acres; under the penalty of forfeiting all the lands, ſo to him or them granted, and all his or their right and title thereto, to his majeſty, his heirs and ſucceſſors, and by him to be re-granted, according to the terms, limitations, and reſtrictions in this act, to ſuch other white perſons as ſhall deſire the ſame; any thing in the ſaid acts, or any other act, to the contrary notwithſtanding: Provided always, That no ſettlement hereafter to be made upon any grant for two hundred and fifty acres of land, or any ſmaller parcel of land, ſhall be deemed a ſettlement, unleſs one white perſon, at the leaſt, ſhall have actually reſided thereon for the term of four years; which term is to commence within one year from the date of ſuch patent; any thing herein contained, or any other law, uſage, or cuſtom, to the contrary notwithſtanding.

ſons to be put thereon.

Conditions of the grant.

What ſhall be deemed a ſettlement.

CAP. XXVII.

An act to explain an act entitled, "An act for eſtabliſhing courts, and directing the marſhal's proceedings; and to give juriſdiction, to the judges of the ſupreme court of judicature, on the equity ſide of the exchequer, in revenue matters, in the ſame manner that the barons of the exchequer have in England.—[21ſt December, 1776.]

Preamble.

WHEREAS, by an act of the governor, council, and aſſembly of this iſland, made in the year of our Lord one thouſand ſix hundred and eighty-nine [*eighty-one*], entitled, *An act for eſtabliſhing courts, and directing the marſhal's proceedings*, it is enacted and ordained, That the judges of the ſupreme court of judicature for the time being

33 *Car.* II. *cap.* 23.

Recital of *part of clause 1 of the above act.*

being are thereby empowered and authorized to have cognizance of all pleas, civil, criminal, and mixed, as fully and amply, to all intents and purpoſes whatſoever, as the courts of king's bench, common pleas, and exchequer, within his majeſty's kingdom of England, have or ought to have: And whereas doubts have ariſen, or may ariſe, whether the judges of the ſaid court in this iſland are, by the above law, veſted with the authority of the barons of the exchequer, in holding and determining pleas on the equity ſide of the exchequer, in matters touching his majeſty's revenue: By reaſon of which, and that there may be no defect of juſtice, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the authority of the ſame, That the judges of the ſupreme court of judicature of this iſland for the time being ſhall have, and they hereby have, authority and juriſdiction, as fully as the court of exchequer in England, to hold pleas on the equity ſide thereof, in all matters whatſoever touching and concerning his majeſty's revenue, impoſed or to be impoſed by any law of this iſland; any law, cuſtom, or uſage, to the contrary notwithſtanding.

Judges of grand court veſted with juriſdiction over pleas on the equity ſide of exchequer, in all revenue matters.

CAP. XXVIII.

An act to explain and amend an act entitled, "An act for recovering and extending the trade with the Indian ſettlements in America, and preventing for the future ſome evil practices formerly committed in that trade.

[21ſt December, 1776.]

14 Geo. II. cap. 6.

WHEREAS the act entitled, *An act for recovering and extending the trade with the Indian ſettlements in America, and preventing for the future ſome evil practices formerly committed in that trade*, hath not been effectual to prevent ſeveral ill-diſpoſed perſons, traders from this iſland, from ſtealing Indians upon the continent in America, and tranſporting them from their habitations, and ſelling them for ſlaves or as indented ſervants; to the great prejudice of the trade with the Indian ſettlements on the continent of America: In order, therefore, to prevent ſuch unfair, barbarous, and pernicious practices, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted and ordained by the authority of the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and declared by the authority of the ſame, That all Indians whatſoever, brought to this iſland ſince the twenty-eighth day of December, which was in the year of our Lord one thouſand ſeven hundred and forty-one, and their deſcendants, are hereby declared to be free people, to all intents and purpoſes whatſoever, any law, cuſtom, uſage, contract, or agreement, to the contrary

Preamble.

Indians brought ſince Dec. 28, 1741, and their deſcendants, declared free.

contrary thereof in anywiſe notwithſtanding: And that if any perſon or perſons ſhall ſell or buy any ſuch Indian or Indians, ſuch perſon or perſons ſhall forfeit the ſum of five hundred pounds; to be recovered, by action of debt, bill, plaint, or information, in the ſupreme court of judicature, at the inſtance of the attorney-general, or clerk of the crown in the ſame court, who are hereby directed to proſecute and ſue for the ſame; in which action no eſſoin, protection, wager of law, imparlance, or injunction, ſhall be allowed, or *non vult ulterius proſequi* be entered; the whole of which penalty, when recovered, after deducting the neceſſary charges and expences of proſecution, ſhall be paid to the receiver-general, for the uſe of his majeſty, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof.

500*l.* penalty on buyers and ſellers of them.

Recovery of ſuch penalty,

and application.

II. And whereas the kidnapping or ſtealing of any Indian, and tranſporting them from their ſettlements or elſewhere, to this iſland or elſewhere, for ſale, is a very great offence: Be it enacted by the authority aforeſaid, That if any perſon or perſons whatſoever ſhall be convicted, in his majeſty's ſupreme court of judicature or courts of aſſize in this iſland, of kidnapping or ſtealing of any Indian, or tranſporting him, her, or them, from their ſettlements or elſewhere, to this iſland or elſewhere, for ſale, ſuch perſon or perſons ſhall be deemed guilty of felony, and ſhall ſuffer death as a felon, without benefit of clergy; any law, cuſtom, or uſage, to the contrary notwithſtanding.

Perſons kidnapping or ſtealing Indians, with intent to ſell them, to ſuffer death.

CAP. XXIX.

An act to repeal an act entitled, ["An act to repeal an act entitled,] '*An act to prevent negro and other runaway ſlaves from being harboured and entertained, by eſtabliſhing a conſtant patrolling party in each pariſh throughout this iſland; and to prevent ſlaves from being carried from this iſland by maſters of ſhips and other veſſels;*' [and to prevent negro and other runaway ſlaves from being harboured and entertained, by eſtabliſhing a conſtant patrolling party in each pariſh throughout this iſland; and to prevent ſlaves from being carried from this iſland by maſters of ſhips and other veſſels."]

[21ſt December, 1776.]

WHEREAS an act of the governor, council, and aſſembly of this iſland, entitled, [An act to repeal an act entitled,] "*An act to prevent negro and other runaway ſlaves from being harboured and entertained, by eſtabliſhing a conſtant patrolling party in each pariſh throughout*

Preamble.

throughout this iſland; and to prevent ſlaves from being carried from this iſland by maſters of ſhips and other veſſels;" [and to prevent negro and other runaway ſlaves from being harboured and entertained, by eſtabliſhing a conſtant patrolling party in each pariſh throughout this iſland; and to prevent ſlaves from being carried from this iſland by maſters of ſhips and other veſſels,] paſſed in the year of our Lord one thouſand ſeven hundred and ſeventy-four, hath not had the good effect, nor anſwered the good and ſalutary purpoſes, for which it was intended: May it therefore pleaſe your moſt excellent majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That the ſaid act, and every matter, clauſe, and thing, therein contained, be, and the ſame is hereby, annulled, repealed, and made void, to all intents and purpoſes; any thing in the ſaid act contained to the contrary in anywiſe notwithſtanding.

Repeal of recited act.

CAP. XXX.

EXPIRED. *An act to regulate the trials of controverted elections or returns of members to ſerve in aſſembly.*—[21ſt December, 1776.]

CAP. XXXI.

An act for eſtabliſhing a public hoſpital.

[21ſt December, 1776.]

Preamble. WHEREAS it is neceſſary that a public hoſpital ſhould be eſtabliſhed in this iſland: We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, do moſt humbly beſeech your moſt excellent majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's ſaid iſland, and it is hereby enacted by the authority of the ſame, That Thomas French, Simon Taylor, and Jaſper Hall, eſquires, the preſent members of the pariſh of Kingſton, or the members of the ſaid pariſh for the time being; Digby Denniſs, James Crean, and Matthew Wallen, eſquires, the preſent members of the pariſh of Port-Royal, or the members of the ſaid pariſh for the time being; James Lewis, James Trower, and Benjamin Lyon, eſquires, the preſent members of the pariſh of St. Catherine, or the members of the ſaid pariſh for the time being; and the preſent churchwardens, or the churchwardens of the ſaid three pariſhes for the time being; be, and they are hereby nominated and appointed, commiſſioners for carrying this act into execution; and they, or any three of them, are hereby authorized and empowered to rent or hire a proper or convenient houſe, in the pariſh of Kingſton, for the reception of the ſick, maimed, infirm, and diſabled, tranſient poor, that may happen from time to time to be in the ſaid pariſh, and to ſupport and maintain them there.

Commissioners appointed to carry this act into execution;

who are empowered to hire a proper house in Kingston;

II. And

II. And be it further enacted by the authority aforeſaid, That the ſaid commiſſioners, or any three of them, are hereby authorized and empowered to eſtabliſh ſuch rules, regulations, and orders, as to them ſhall ſeem meet, for the cleanlineſs, healthineſs, ſobriety, temperance, decent and orderly behaviour, of the patients in the ſaid hoſpital, and to chaſtiſe all diſobedience to ſuch rules, regulations, and orders, by confinement in the ſtocks or otherwiſe, not exceeding forty-eight hours, or by whipping, not exceeding thirty-nine laſhes, or by ſhortening the diet of ſuch perſon that ſhall miſbehave, at the diſcretion of the phyſician: And the purveyor or ſupervifor of ſuch hoſpital, or any perſon appointed by the commiſſioners aforeſaid, is hereby authorized to inflict all ſuch corporal puniſhment, as abovementioned (being firſt eſtabliſhed by the rules and regulations of the commiſſioners aforeſaid), as he ſhall be ordered by the phyſician, ſurgeon, or apothecary.

to eſtabliſh regulations,

and chaſtiſe for diſobedience.

Supervisor to inflict puniſhment.

III. And be it further enacted by the authority aforeſaid, That the churchwarden or churchwardens, where any tranſient poor are, ſhall ſend ſuch poor, by their conſtable, to either of the churchwardens of the next pariſh, and ſo [*to*] the churchwarden from pariſh to pariſh, until they are conveyed to the public hoſpital; every pariſh paying the expence of conveying and maintaining them, until they are delivered as above; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Tranſient poor to be paſſed from parish to parish, till they reach the public hoſpital.

CAP. XXXII.

An act for empowering the juſtices and veſtry of the pariſh of St. James to erect and build a market-houſe or houſes, for the ſelling of freſh meat and freſh fiſh, and for that purpoſe to purchaſe one or more lot or lots of land in the ſaid pariſh; and for keeping in repair the harbour of Montego-Bay, and for regulating the mooring of ſhips in the ſaid harbour; and for other purpoſes therein mentioned.—[21ſt December, 1776.] EXPIRED.

Anno regni Georgii tertii decimo octavo.

CAP. I.

An act for granting an additional ſalary to his honour John Dalling, eſquire, lieutenant-governor and commander in chief, during his adminiſtration.—[6th December, 1777.] EXPIRED.

CAP. II.

An act to explain, amend, and render more effectual, an act entitled, "An act to augment the ſalary of his excellency George Haldane, eſquire; and for providing certain lands and premiſes to be annexed to the government, for the uſe of the governor for the time being."—[6th December, 1777.] EXPIRED.

CAP. III.

EXPIRED. *An act for raising and fitting out parties for suppressing any rebellion in this island, during the continuance of this act.*—[6th December, 1777.]

CAP. IV.

EXPIRED. *An act for amending and keeping in repair a road leading from Pepper Plantation, over May-Day Hill, in the parish of St. Elizabeth, to St. Jago Plantations, in the parish of Clarendon; and for vesting in trustees the toll raised by a turnpike on the said May-Day Hill, for the purposes aforesaid.*—[6th December, 1777.]

CAP. V.

EXPIRED. *An act for licensing hawkers and pedlars; and for applying the monies, to arise from granting such licenses, towards the support and maintenance of the poor of the parishes where such licenses are granted.*—[6th December, 1777.]

CAP. VI.

EXPIRED. *An act for the further relief of insolvent debtors, imprisoned for debt.*—[6th December, 1777.]

CAP. VII.

EXPIRED. *An act for laying a duty on all wines, rum, and other spirits and strong waters, retailed within this island; and for laying a further tax on licenses to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the same to several uses.*—[22d December, 1777.]

CAP. VIII.

EXPIRED. *An act to oblige the several inhabitants of this island, to provide themselves with a sufficient number of white men, white women, or white children, or pay certain sums of money in case they shall be deficient, and applying the same to several uses; to protect freeholders on the days of choosing churchwardens and vestrymen; and to ascertain who shall be deemed duly qualified to vote at such elections.*—[22d December, 1777.]

CAP. IX.

EXPIRED. *An act for raising a tax by the poll, and on trades, supercargoes, and masters of vessels in the out-ports, and on offices and houses; and applying the same to several uses.*—[22d December, 1777.]

CAP. X.

EXPIRED. *An act for raising several sums of money, and applying the same to several uses.*—[22d December, 1777.]

CAP. XI.

EXPIRED. *An act for establishing and declaring rules and articles of war.*—[22d December, 1777.]

CAP.

CAP. XII.

An act to enable his honour John Dalling, eſquire, lieutenant-governor and commander in chief of this iſland, and the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time.—[22d December, 1777.] EXPIRED.

CAP. XIII.

An act to prevent the ſmuggling foreign produce into this iſland.—[22d December, 1777.] EXPIRED.

CAP. XIV.

An act for laying a tax on all ſhips and other veſſels, trading to this iſland, for and towards the ſupport and maintenance of the tranſient poor.—[22d December, 1777.]

WHEREAS the maſters of ſhips and other veſſels trading to this iſland, having ſick, maimed, infirm, and diſabled, men on board their reſpective veſſels, inſtead of taking ſuch care of them as in common humanity they ought, put them on ſhore, and leave them in a moſt miſerable and diſtreſſed ſtate, without any means to ſupport and maintain them, or to obtain proper relief; by which cruel practices many of them die in the ſtreets, and others become very burthenſome and expenſive to the ſeveral pariſhes in this iſland, particularly to the pariſhes of St. Catherine and Kingſton, where the major part of ſuch miſerable objects reſort for relief; the inhabitants whereof have for a long time been put to great charges and expences in maintaining and curing them, the maſters of ſuch ſhips and other veſſels not in the leaſt contributing to their relief: In order, therefore, that all maſters of ſhips and other veſſels, trading to this iſland, may in ſome meaſure contribute to the ſupport and maintenance of their own poor, and for making proviſion for the ſick, maimed, infirm, and diſabled tranſient poor, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, do moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That the maſter or commander of all veſſels trading to the northward of the tropic of Cancer, who ſhall arrive in any port or harbour of this iſland after the paſſing of this act, ſhall pay into the hands of Exelbee Lawford, eſquire, receiver-general, or the receiver-general for the time being, or to his lawful deputy, the ſums herein after mentioned; that is to ſay, Every ſhip or three-maſt veſſel, the ſum of forty ſhillings; every brigantine, ſnow, or bilander, the ſum of thirty ſhillings; and every ſchooner or ſloop, the

Preamble.

Sums to be paid by maſters of different veſſels trading to the northward of the tropic of Cancer;

by those trading between the tropics;

the ſum of twenty ſhillings: And all veſſels trading between the tropics, which ſhall arrive in any port or harbour of this iſland after the paſſing of this act, ſhall pay one moiety of the above-mentioned ſums; that is to ſay, Every ſhip or three-maſt veſſel, the ſum of twenty ſhillings; every brigantine, ſnow, or bilander, the ſum of fifteen ſhillings; and every ſchooner or ſloop, the ſum of ten ſhillings; ſugar-droggers, and other veſſels uſing the coaſting trade of this iſland, excepted, who ſhall pay ten ſhillings every ſix months, and no more.

and by maſters of coaſting veſſels.

No ſuch veſſels to be cleared out till the duties are paid;

II. And, in order that the ſaid duties may be duly collected and paid, be it enacted by the authority aforeſaid, That the ſaid Exelbee Lawford, the receiver-general, or the receiver-general for the time being, and his lawful deputy in the ſeveral ports of entry in this iſland, ſhall not clear out any ſhip or other veſſel, chargeable with the aforeſaid duties, until the ſaid duties be paid, on penalty of forfeiting the ſum of fifty pounds for every ſhip or other veſſel ſo cleared out; to be recovered, in the ſupreme court of judicature of this iſland, by action of debt, bill, plaint, or information, wherein no eſſoin, wager of law, or injunction, ſhall be allowed, or *non vult ulterius proſequi* be entered; which ſaid penalty ſhall be to the uſe of the tranſient poor in the pariſh of Kingſton.

which are to be appropriated to the use of the public hospital.

III. And be it further enacted by the authority aforeſaid, That the ſaid duties, to be collected by virtue of this act, ſhall be, by the ſaid receiver-general, or the receiver-general for the time being, paid over to the treaſurer for the time being of the public hoſpital, to be by him applied to and for the uſe of the tranſient poor.

Receiver-general's commission.

IV. And be it further enacted by the authority aforeſaid, That the ſaid receiver-general, or the receiver-general for the time being, ſhall be allowed the ſum of five pounds *per centum*, for receiving and paying the ſeveral ſums of money to be collected by virtue of this act.

CAP. XV.

EXPIRED. *An act for reviving and continuing two ſeveral acts of this iſland; the one entitled, "An act for the better regulating, training, and diſciplining, the militia; and for enforcing and rendering more effectual an act entitled, 'An act for ſettling the militia;" and the other entitled, "An act for paying the non-commiſſioned officers and private men of the militia."*—[22d December, 1777.]

CAP. XVI.

EXPIRED. *An act for regulating the proceedings of ſurveyors of land, and for the better regulating and eſtabliſhing their fees.*—[22d December, 1777.]

CAP.

CAP. XVII.

An act to empower the justices and vestry of the several parishes in this island to hire good and sufficient men to serve as constables; and to repeal an act entitled, "An act for the more easy serving of constables."

[22d December, 1777.]

Preamble.

WHEREAS, by an act of this island, passed in the year of our Lord one thousand seven hundred and sixteen, entitled, *An act for the more easy serving of constables*, the justices and vestrymen, in their respective parishes, are empowered to hire good and sufficient men to serve as constables for their respective parishes, and are empowered, at the usual times of assessing their parish-tax, to assess and levy yearly a tax or sum, not exceeding twenty pounds, for each constable so to be hired: And whereas that sum is at this time found to be inadequate to the trouble and expence of such service in some of the country parishes, where each constable must necessarily keep a horse to enable him to perform the duty required of him: Be it therefore enacted by the lieutenant-governor, council, and assembly, of this your majesty's island of Jamaica, and it is hereby enacted and ordained by the authority of the same, That, from and after the first day of January, which will be in the year of our Lord one thousand seven hundred and seventy-eight, the justices and vestrymen for the time being, in vestry assembled, in their several parishes (except in the parishes of Port-Royal, St. Catherine, and Kingston), shall, and they are hereby authorized and empowered to, hire, on or before the thirty-first day of March in each year, good and sufficient men to serve as petty constables; and the justices and vestrymen, in vestry assembled, are hereby empowered to pay such sum, out of the parish-tax, as the said justices and vestry shall in their discretion think necessary, for each constable so to be hired; any law, custom, or usage, to the contrary notwithstanding.

Constables to be hired in all parishes (except Port-Royal, St. Catherine, and Kingston),

and their hire to be settled and paid, by vestries;

II. And be it enacted by the authority aforesaid, That in case of the death, absence, or disability, of any such constable, the justices and vestrymen, in vestry assembled, are hereby empowered, in their respective parishes, to hire other good and sufficient men in the room and stead of any such constable being dead, absent, or disabled: and in case of misbehaviour in any constable so hired, the justices and vestrymen, in vestry assembled, are, hereby empowered to discharge such constable, paying him, at the rate agreed for, to the time of such his discharge, and to hire other or others in the room and place of such constable or constables so discharged: Provided always, That if the justices and vestry in any parish do not hire good and sufficient men, or a proper number, to serve as constables, then, and in that case, constables, or so many as may be thought necessary to serve in

who may replace those disabled or removed.

If vestries neglect, justices in sessions to appoint them.

in ſuch pariſh, ſhall be choſen and appointed by the juſtices in their ſeſſions; and the ſalary of the conſtables, ſo choſen and appointed, ſhall be fixed by the juſtices and veſtry out of the pariſh-tax; and in caſe of the death, abſence, or diſability, of any ſuch conſtables, the juſtices in their ſeſſions are hereby empowered to chooſe and appoint other good and ſufficient men in the room and ſtead of any conſtable dead, abſent, or diſabled: And, in caſe of miſbehaviour in any conſtable ſo hired, the juſtices and veſtrymen, in veſtry, are hereby empowered to diſcharge ſuch conſtable, paying him, at the rate agreed for, to the time of his diſcharge, and to hire other or others in the room and place of ſuch conſtable or conſtables ſo diſcharged.

If those so appointed misbehave, vestries may discharge them.

III. And be it enacted by the authority aforeſaid, That the preſent conſtables, of the ſeveral pariſhes in this iſland, ſhall continue acting as ſuch in their reſpective pariſhes, until others are hired by the juſtices and veſtry, or choſen and appointed by the juſtices in ſeſſions, as before directed.

Present constables to continue till others chosen.

IV. And be it further enacted by the authority aforeſaid, That every clauſe, matter, and thing, contained in the herein before-recited act, ſhall be, and is hereby, repealed and made null and void, to all intents and purpoſes whatſoever, as if the ſame had never paſſed.

Repeal of above-recited act.

CAP. XVIII.

An act to repeal "An act for raiſing a tax on the pariſh of Hanover, for erecting and eſtabliſhing a free-ſchool in the ſaid pariſh;" and to render the donation given to the ſaid pariſh, in and by the laſt will and teſtament of Martin Ruſea, deceaſed, more uſeful; and for erecting and eſtabliſhing a free-ſchool in the ſaid pariſh; and to empower the juſtices and veſtry of the ſaid pariſh to apply money, out of the pariſh-tax, to and for the better ſupport of the ſaid free-ſchool.—[22d December, 1777.]

Preamble.

WHEREAS Martin Ruſea, late of the pariſh of Hanover, deceaſed, by his laſt will and teſtament in writing, bearing date the twenty-third day of July, in the year of our Lord one thouſand ſeven hundred and ſixty-four, duly proved and recorded in the ſecretary's office of this iſland, did give, deviſe, and bequeath, after directing his funeral charges and debts to be firſt juſtly paid, all his eſtate, real and perſonal, for the uſe of erecting, eſtabliſhing, and ſupporting, a charity or free-ſchool in the ſaid pariſh of Hanover: And whereas, in and by a certain

decree

decree of the high court of chancery of this iſland, bearing date the twenty-firſt day of January, which was in the year of our Lord one thouſand ſeven hundred and ſeventy-five, made and pronounced in a certain cauſe inſtituted in the ſaid court (wherein his majeſty's attorney-general of this iſland, at the relation of the reverend Inglis Turing, clerk, then rector of the ſaid pariſh, was complainant, and John Grizell, eſquire, the executor named in the ſaid will of the ſaid Martin Ruſea, and James Ruſea, the deviſee of John Ruſea, who was the heir at law of the ſaid Martin Ruſea, were defendants), his excellency the then chancellor was pleaſed to declare, he was of opinion that the ſaid will of the ſaid Martin Ruſea was a good deviſe of the real and perſonal eſtate of the ſaid Martin Ruſea, for the uſes, intents, and purpoſes, therein mentioned, and that the truſts, thereby created, ought to be fully performed and carried into execution by the reverend Inglis Turing, the then rector of the ſaid pariſh, the honourable John Campbell, of Salt-Spring, eſquire, the cuſtos of the ſaid pariſh, and the defendant John Grizell, and William Anglin, eſquires, the churchwardens of the ſaid pariſh, and by the rector, cuſtos, and churchwardens of the ſame pariſh for the time being, as truſtees of the ſaid charity, by virtue of and under the ſaid will; and they were thereby declared to be truſtees for the ſame, according to the true intent and meaning of the ſaid will; and that the charity, thereby created, ought to be eſtabliſhed and ſettled, as directed by the ſaid will of the ſaid teſtator; and therefore was pleaſed to order, adjudge, and decree, and it was thereby ordered, adjudged, and decreed, That the ſaid will of the ſaid Martin Ruſea be conſidered and taken as a good deviſe, for the uſes, truſts, intents, and purpoſes, therein mentioned; and that the truſts, thereby created, be fully performed and carried into execution by the ſaid reverend Inglis Turing, the then rector of the ſaid pariſh, the ſaid John Campbell, the cuſtos of the ſaid pariſh, and the defendant John Grizell, and William Anglin, the churchwardens of the ſaid pariſh, and by the rector, cuſtos, and churchwardens, of the ſame pariſh for the time being, as truſtees as aforeſaid, according to the intent and meaning of the ſaid will; and that the charity, thereby created, be eſtabliſhed and ſettled as by the ſaid will was directed: And the chancellor was pleaſed further to order, adjudge, and decree, That all and every the eſtate, real and perſonal, of the ſaid Martin Ruſea, which had come to the hands, cuſtody, power, or poſſeſſion, of the ſaid defendant John Grizell, or to the hands, cuſtody, power, or poſſeſſion, of any other perſon or perſons for his uſe, ſhould be, by him and the ſaid other truſtees; and the truſtees aforeſaid for the time being, applied according to the uſes and truſts in the ſaid will created, and for the benefit of the ſaid charity; and that the ſaid defendant James Ruſea do deliver over to the ſaid truſtees, or the truſtees as aforeſaid for the time being, of the ſaid charity, all and every ſuch part of the lands and premiſes, late of the ſaid Martin Ruſea, as were in the poſſeſſion of the ſaid James Ruſea, or in the poſſeſſion of any other perſon or perſons for his uſe; and that all parties be, and they were thereby, in-

demnified in the premiſes: And it was further ordered, adjudged, and decreed, That it ſhould be referred to Samuel Howell, eſquire, one of the maſters of the ſaid court, to approve of a proper plan for carrying the ſaid truſts into execution, according to the intention of the ſaid teſtator, and to make his report in the premiſes to the ſaid court; and that the ſaid truſtees, and the truſtees for the time being, ſhould be at liberty to apply to the ſaid court for further directions: And whereas the maſter, in purſuance of the ſaid decretal order, in and by his report, bearing date the eighth day of November, in the preſent year of our Lord one thouſand ſeven hundred and ſeventy-ſeven, reported, that he had conſidered of a proper plan for carrying the truſts in the ſaid decretal order, and in the laſt will and teſtament of the ſaid Martin Ruſea, therein mentioned, into execution, according to the intention of the ſaid teſtator; and that he was of opinion, that, to the ſaid truſtees in the ſaid decretal order named, there ſhould be added other truſtees; *to wit*, The two members of the aſſembly for the ſaid pariſh for the time being; the three ſenior magiſtrates of the ſaid pariſh for the time being who ſhould be preſent at any meeting of the ſaid truſtees, and who ſhould then actually reſide in the ſaid pariſh; and any perſon who, in his life-time, by deed or otherwiſe, ſhould give the principal ſum of ſix hundred pounds, current money of Jamaica, or to that amount in lands or ſlaves, or an annual ſum of thirty pounds, of like current money, to and for the uſe of the ſaid charity; and any ſix freeholders of the ſaid pariſh, qualified to vote for members in the aſſembly, who ſhould be choſen by a majority of the freeholders preſent, and qualified to vote as aforeſaid, between the hours of eight and twelve in the forenoon, on the third Tueſday in February in each year, the poll to be taken by any freeholder preſent: And the ſaid maſter was further of opinion, that they, together with the ſeveral perſons named in the ſaid decretal order, ſhould be the truſtees for the direction and management of a free-ſchool to be eſtabliſhed under and by virtue of the ſaid will of the ſaid Martin Ruſea, and of all ſubſcriptions, donations, deviſes, and bequeſts, given, or that ſhould thereafter be given, to and for the uſe of the ſaid free-ſchool, ſeven of which truſtees to be a *quorum* to do buſineſs: And the ſaid maſter was further of opinion, that the major part of ſeven or more of the ſaid truſtees, preſent at any meeting, ſhould be inveſted with full power and authority to all intents and purpoſes, as if all the truſtees were preſent; provided always, the *cuſtos rotulorum* of the ſaid pariſh for the time being, or one of the members of the aſſembly for the time being, or any one of the magiſtrates of the ſaid pariſh for the time being who ſhall actually reſide in the pariſh, or the rector of the ſaid pariſh for the time being, or one of the churchwardens of the ſaid pariſh for the time being, be of the number preſent: And whereas, at a high court of chancery held at the town of St. Jago de la Vega, on Thurſday the twentieth day of November, in the preſent year of our Lord one thouſand ſeven hundred and ſeventy-ſeven, his honour the preſent chancellor, in and by his order of the ſaid court, was pleaſed to confirm

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the ſaid report; as in and by the ſaid decretal order, report, and order made thereon, remaining of record in the office of the regiſter of the ſaid court of chancery, may more fully and at large appear: And whereas an act of the lieutenant-governor, council, and aſſembly, of this iſland, entitled, *An act for raiſing a tax on the pariſh of Hanover, for erecting and eſtabliſhing a free-ſchool in the ſaid pariſh*, was made and paſſed the eleventh day of December, which was in the year of our Lord one thouſand ſeven hundred and ſeventy-three: And whereas the ſaid recited act is found, by experience, not to anſwer the good purpoſes for which the ſame was intended: And whereas the ſaid charity, intended by the ſaid will of the ſaid Martin Ruſea, may be rendered ſtill more uſeful to the inhabitants of the ſaid pariſh, and it is neceſſary by law to eſtabliſh the truſts thereby created, or intended to be created, and to carry the ſame, and the ſaid plan as aforeſaid reported by the ſaid maſter, into execution: Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That the ſaid herein before-mentioned act, and every clauſe, matter, and thing, therein contained, be, and the ſame is hereby, annulled, repealed, and made void, to all intents and purpoſes; any thing in the ſaid act contained to the contrary thereof in anywiſe notwithſtanding.

Repeal of above recited act.

II. And be it further enacted by the authority aforeſaid, That the *cuſtos rotulorum* of the ſaid pariſh of Hanover for the time being; the two members of the aſſembly for the ſaid pariſh for the time being; the three ſenior magiſtrates of the ſaid pariſh for the time being who ſhall be preſent at any meeting of the truſtees in this act mentioned, and do then actually reſide in the ſaid pariſh; the rector of the ſaid pariſh for the time being; the two churchwardens of the ſaid pariſh for the time being; any perſon who ſhall, in his life-time, by deed or otherwiſe, give the principal ſum of ſix hundred pounds, current money of this iſland, or to that amount in lands or ſlaves, or an annual ſum of thirty pounds, of like current money, to and for the uſe of the ſaid free-ſchool; together with any ſix freeholders of the ſaid pariſh, who are qualified to vote for members in the aſſembly, to be choſen by a majority of the freeholders preſent, and who are qualified as aforeſaid, between the hours of eight and twelve in the forenoon, on the third Tueſday in February in each year, the poll to be taken by any freeholder preſent; ſhall be and are hereby appointed truſtees for the direction and management of the ſaid free-ſchool, and the gift, deviſe, and bequeſt, of the ſaid Martin Ruſea, made and given by his ſaid laſt will and teſtament, and of all ſubſcriptions, donations, deviſes, and bequeſts, given, or that ſhall hereafter be given, to and for the uſe of the ſaid free-ſchool, ſeven of which ſaid truſtees ſhall be a *quorum* to do buſineſs; and the major part of ſeven or more of the truſtees, preſent at any meeting, ſhall be inveſted with full power and authority, to all intents and purpoſes, as if all the

Truſtees of Ruſea's free-ſchool appointed.

Seven to be a *quorum*; majority of whom to decide buſineſs.

Trustee necessary for a *quorum*.

the truſtees were preſent: Provided always, The *cuſtos rotulorum* of the ſaid pariſh for the time being, or one of the members of the aſſembly for the ſaid pariſh for the time being, or any one of the magiſtrates of the ſaid pariſh for the time being who ſhall actually reſide in the pariſh, or the rector of the ſaid pariſh for the time being, or one of the churchwardens of the ſaid pariſh for the time being, be of the number preſent: Provided always nevertheleſs, That, in caſe the freeholders of the ſaid pariſh ſhould neglect to chooſe ſix truſtees as above directed, then, and in that caſe, a *quorum* of ſeven or more of the other truſtees are hereby authorized and empowered to act in as full and ample manner as if the ſaid ſix truſtees had been ſo choſen; any thing herein contained to the contrary notwithſtanding.

Business to proceed, though the six freeholders be not chosen.

Trustees veſted with all the properties of the charity,

III. And be it further enacted by the authority aforeſaid, That the ſaid truſtees, and they who ſhall ſucceed them, be the truſtees of the ſaid free-ſchool, and of all lands, meſſuages, tenements, negro or other ſlaves, and hereditaments, and all rents and ſums of money charged upon, and iſſuing or payable out of, any lands, meſſuages, tenements, negro or other ſlaves, and hereditaments, given and bequeathed, or [*which*] hereafter may be given and bequeathed by any perſon or perſons whatſoever, or ſhall be purchaſed by the ſaid truſtees, or their ſucceſſors, for the uſe and benefit of the ſaid free-ſchool, at all times hereafter for ever; and that the ſaid truſtees and free-ſchool ſhall for ever ſtand and be incorporated, in name and deed, a body politic incorporate, by the name of THE TRUSTEES OF RUSEA'S FREE-SCHOOL, and, by the ſame name of [*the truſtees of*] Ruſea's free-ſchool, they ſhall have perpetual ſucceſſion; and by that name they and their ſucceſſors ſhall and may for ever have, hold, and enjoy, the ſaid free-ſchool, and all lands, meſſuages, tenements, negro or other ſlaves, and hereditaments, and all gifts, donations, benefactions, or deviſes, already given, or which at any time hereafter ſhall be given or purchaſed, for the uſe and benefit of the ſaid free-ſchool: And that the ſaid truſtees, and their ſucceſſors, by the name aforeſaid, ſhall and may at any time hereafter, without licenſe in mortmain, purchaſe, take, or receive, any lands, tenements, negro or other ſlaves, or hereditaments, or any eſtate or intereſt ariſing or deriving out of the ſame.

and incorporated.

Their name.

They may receive realties, without license in mortmain.

Corporate powers of the trustees;

IV. And be it further enacted by the authority aforeſaid, That the ſaid truſtees, and their ſucceſſors, or the major part of a *quorum* of ſeven or more of them, by the ſame name, ſhall and may have power and ability to purchaſe lands and ſlaves for the uſe and benefit of the ſaid free-ſchool; and to place out at intereſt, on good and ſufficient ſecurity, any donations, benefactions, and ſubſcriptions in money; to ſell and diſpoſe of, and convey away by deed or otherwiſe, or to demiſe and leaſe, ſuch poſſeſſions, ſlaves, and hereditaments, that are or ſhall be given or purchaſed as aforeſaid; and to take, acquire, and purchaſe, ſue and be ſued, implead and be impleaded, anſwer and be anſwered unto, defend and be defended,

in

in all or any court or courts of record and places of judicature in this iſland, in all and all manner of actions, ſuits, complaints, pleas, cauſes, matters, and demands whatſoever, or of what kind or nature ſoever, and to do, perform, and execute, all and every lawful act and thing, good, neceſſary, or profitable, for the ſaid corporation, in as full and ample manner and form, to all intents, conſtructions, and purpoſes, as any other corporation, or body politic and corporate, fully and perfectly incorporated, may or ought to do: And that the ſaid truſtees, and their ſucceſſors, may have and uſe a common ſeal for making, granting, ſelling, diſpoſing of, and conveying away, or demiſing or leaſing of, ſuch poſſeſſions, ſlaves, or hereditaments, and for the doing all and every other things touching or in anywiſe concerning or appertaining to the ſaid corporation; which ſeal the ſaid truſtees, and their ſucceſſors, or a major part of a *quorum* of ſeven or more of them, may change, alter, break, and make new, when and as often as they ſhall judge expedient; and the ſaid ſeal ſhall be depoſited and kept in the hands of the *cuſtos rotulorum* of the ſaid pariſh of Hanover for the time being, and, in caſe of the death or abſence from this iſland of ſuch *cuſtos rotulorum*, then the ſaid ſeal ſhall be depoſited and kept by the ſenior magiſtrate of the ſaid pariſh, who doth actually reſide therein.

who are to have a common ſeal,

which they may change.

Cuſtos to keep it.

V. And be it further enacted by the authority aforeſaid, That John Grizell, adminiſtrator on the eſtate of the ſaid Martin Ruſea, deceaſed, ſhall be, and he is hereby, required, within three months after the paſſing of this act, to render an account of the profits and produce of the ſaid Martin Ruſea's eſtate, together with the rent, intereſt, or income, ariſing or accruing on or from the ſame, to the truſtees of the ſaid free-ſchool, or a *quorum* of ſeven or more of them, and to pay over the balance, if any ſhall appear to be due, and aſſign over to the ſaid truſtees ſuch ſecurities as have come into his hands, or that he has taken for the ſame, or any part thereof; and upon his ſtating and adjuſting the ſaid accounts, and paying the balance, and aſſigning the ſecurities in his hands, in manner aforeſaid, and rendering a juſt account of his adminiſtration, the ſaid truſtees, or a *quorum* of ſeven or more of them, ſhall be, and they are hereby, empowered to execute a releaſe and acquittance to the ſaid John Grizell, his heirs, executors, or adminiſtrators; which releaſe or acquittance ſhall be a full diſcharge and indemnification to him and them; any law, cuſtom, or uſage, to the contrary notwithſtanding.

Adminiſtrator to render accounts, and pay balance.

VI. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the ſaid truſtees, and their ſucceſſors, or a major part of ſeven or more of them, to purchaſe land, and to erect and build thereon a proper houſe or houſes, with out-houſes, or to purchaſe ſuch as are already built, and to endow the ſame in proportion to their revenue; and, until the ſaid houſe can be conveniently built or purchaſed, to hire one, ſuch as they think fit for the purpoſe, for the abiding, dwelling, and neceſſary

Truſtees to purchaſe land, and erect a free-ſchool;

to hire a houſe till it is completed;

neceſſary uſe, of one or more maſter or maſters, uſher or uſhers, for inſtructing poor children in reading, writing, arithmetic, Latin, Greek, the mathematics, or any other parts of learning the ſaid truſtees, or their ſucceſſors, or a major part of a *quorum* of ſeven or more of them, ſhall think proper: And that they the ſaid truſtees, and their ſucceſſors, or a major part of a *quorum* of ſeven or more of them, ſhall have full power and authority to nominate, appoint, or chooſe, one or more maſter or maſters, uſher or uſhers, for teaching and inſtructing the children intended to be objects of the ſaid charity, and alſo ſuch officer or officers, ſervant or ſervants, and other perſon or perſons to be employed for the purpoſes herein mentioned or intended, or other the affairs of the ſaid free-ſchool; and to direct and appoint ſuch ſalaries and perquiſites, or other rewards, for their labour and ſervice therein, as the ſaid truſtees ſhall approve of, or think proper; and at their pleaſure to remove and diſplace ſuch maſter or maſters, uſher or uſhers, officer or officers, ſervant or ſervants, or other perſon or perſons to be employed for the purpoſes herein mentioned or intended, or other the affairs of the ſaid free-ſchool, and other fit and able perſons to nominate, appoint, or chooſe, in their room; and to do, manage, tranſact, and determine, all ſuch other matters and things as ſhall to them, or a major part of a *quorum* of ſeven or more of them, appear neceſſary or convenient, for effecting or carrying on the purpoſes hereby intended.

appoint maſters and other officers;

direct ſalaries;

and remove maſters, &c.

VII. And be it further enacted by the authority aforeſaid, That the ſaid truſtees and their ſucceſſors, or the major part of a *quorum* of ſeven or more of them, ſhall and may receive into the ſaid free-ſchool as many poor children, the poor children of the pariſh of Hanover always to have the preference, as they ſhall think proper, in proportion to the revenue of the ſaid free-ſchool; and upon any miſbehaviour, inability, or other cauſe, or upon their attaining the age of ſixteen years, to remove and diſcharge them, or any of them, and to receive others into the ſaid free-ſchool in their place and ſtead: And that the ſaid truſtees, and their ſucceſſors, or a major part of a *quorum* of ſeven or more of them, ſhall and may, from time to time, expend ſuch ſum or ſums of money, in proportion to the revenue of the ſaid free-ſchool, in and about the repairing, maintaining, upholding, or enlarging, of the ſaid free-ſchool and buildings thereunto belonging, as they ſhall think convenient, requiſite, or neceſſary: And that the ſaid truſtees, and their ſucceſſors, or as many of their number as ſhall be appointed, from time to time, a committee, at a meeting of the truſtees, or a *quorum* of ſeven or more of them for that purpoſe, ſhall and may have full power and authority to viſit the ſaid free-ſchool, and to order, reform, and redreſs, all diſorders and abuſes in and touching the government and management of the ſame, in ſuch manner, and at ſuch times, as ſhall to them ſeem meet and fit.

Trustees to admit as many children as they think proper, those of Hanover having preference;

to dismiss them on ill behaviour, or at sixteen years of age.

Trustees may enlarge or repair the buildings,

and visit the school, to reform disorders.

VIII. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful for the ſaid truſtees, and their ſucceſſors, or a major part of

ſeven

ſeven or more of them, to make, ordain, and conſtitute, ſuch and ſo many bye-laws, ordinances, and conſtitutions, as to them ſhall ſeem neceſſary, proper, and convenient, for better governing, ordaining, and eſtabliſhing, of the ſaid corporation and free-ſchool, and the maſter or maſters, uſher or uſhers, officer or officers, ſervant or ſervants, perſon or perſons by them the ſaid truſtees, in and about the affairs, to be employed of or concerning the ſaid free-ſchool, and the poor children and others to be educated in the ſame, and for auditing the accounts of the ſaid free-ſchool; and the ſame bye-laws, orders, ordinances, and conſtitutions, ſo made, to put in uſe and force accordingly, and at their will and pleaſure to revoke, change, amend, and alter the ſame; which ſaid bye-laws, orders, ordinances, and conſtitutions, ſo made as aforeſaid, ſhall be duly kept and obſerved, ſo always that the ſaid bye-laws, orders, ordinances, and conſtitutions, be reaſonable, and not contrary or repugnant to his majeſty's royal prerogative, or the laws of Great-Britain and this iſland.

Regulations for the ſchool to be made by the truſtees.

IX. And whereas the income ariſing from the eſtate of the ſaid Martin Ruſea, deceaſed, may be too ſcanty to enable the ſaid truſtees to carry the ſaid teſtator's laudable and charitable intention into immediate and effectual execution: Be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the juſtices and veſtry of the ſaid pariſh of Hanover, and they, or the major part of them, met in open veſtry (not fewer than two juſtices and ſix veſtrymen being preſent), are hereby empowered and authorized, from time to time, to apply ſuch ſum and ſums of money, not exceeding five hundred pounds *per annum*, out of the pariſh-tax, to and for the better ſupport of the ſaid free-ſchool, as to them ſhall ſeem neceſſary; which money is to be paid into the hands of the ſaid truſtees, or into the hands of any perſon by them, or the major part of a *quorum* of ſeven or more of them, appointed to receive the ſame.

Juſtices and veſtry authorized to apply pariſh-money for the better ſupport of the free-ſchool, not exceeding 500*l. per ann.*

X. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the ſaid truſtees, or a *quorum* of ſeven or more of them, out of the funds of the ſaid charity, to pay off and diſcharge all charges and expences incidental to the carrying the truſts into execution.

Truſtees to pay off demands out of the funds of the charity.

XI. And be it further enacted by the authority aforeſaid, That this act ſhall be deemed, adjudged, and taken, to be a public act, and be judicially taken notice of as ſuch, by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading the ſame.

Public act.

CAP. XIX.

An act for explaining and amending the ſeveral highway laws now in force, and rendering the ſaid laws more effectual.—[22d December, 1777.]

Expired.

CAP.

CAP. XX.

EXPIRED. *An act to prevent maſters of ſhips, and other veſſels, from clandeſtinely carrying off this iſland negro or other ſlaves.*—[22d December, 1777.]

CAP. XXI.

EXPIRED. *An act for eſtabliſhing a public workhouſe in the town of Kingston, and for other purpoſes therein menticned.*—[22d December, 1777.]

CAP. XXII.

An act to repeal part of an act entitled, "An act to empower and oblige the inhabitants of the parish of St. John to mend and keep in repair the road from the town of St. Jago de la Vega, through the savanna, to the foot of the red hills leading to Guanaboa, in the parish of St. John; and to empower and oblige the inhabitants of the parish of St. Thomas in the Vale to mend and keep in repair the road from the town of St. Jago de la Vega, through the savanna, to a place called the Angels, in the parish of St. Catherine, leading to the said parish of St. Thomas in the Vale; and for empowering and obliging the justices and vestry of the parish of Clarendon to open and repair a road of communication from George Maddox's plantation, near Old Woman's Savanna, in the said parish of Clarendon, to the vale of Luidas, in the parish of St. John;" and for other purposes therein mentioned.

[22d December, 1777.]

Preamble.

23 Geo. II. cap. 16.

WHEREAS, by an act of the governor, council, and aſſembly, of this iſland, paſſed in the year of our Lord one thouſand ſeven hundred and fifty, entitled, *An act to empower and oblige the inhabitants of the pariſh of St. John to mend and keep in repair the road from the town of St. Jago de la Vega, through the ſavanna, to the foot of the red hills leading to Guanaboa, in the pariſh of St. John; and to empower and oblige the inhabitants of the pariſh of St. Thomas in the Vale to mend and keep in repair the road from the town of St. Jago de la Vega, through the ſavanna, to a place called the Angels, in the pariſh of St. Catherine, leading to the ſaid pariſh of St. Thomas in the Vale; and for empowering and obliging the juſtices and veſtry of the pariſh of Clarendon to open and repair*

repair a road of communication from George Maddox's plantation, near Old Woman's Savanna, in the ſaid pariſh of Clarendon, to the vale of Luidas, in the pariſh of St. John, it is, among other things, enacted, That the inhabitants of the pariſh of St. John be, and they are thereby, authorized, empowered, obliged, and required, thereafter to mend and keep in repair the ſaid road: And whereas the mending and keeping in repair the ſaid road, leading from the town of St. Jago de la Vega, through the ſavanna, to the foot of the red hills leading to Guanaboa, will be burthenſome, expenſive, and injurious, to the inhabitants of the pariſh of St. John: And whereas the ſaid road is at preſent in a very ruinous condition, the ſame not having been worked upon [*by*] the inhabitants of the pariſh of St. John for upwards of twenty ſeveral years ſince the paſſing of the herein-before recited law: And whereas, on account of the ſaid road being in ſuch a ruinous condition, it is but reaſonable and juſt that the inhabitants of the ſaid pariſh of St. John ſhould pay, to the ſaid pariſh of St. Catherine, a ſum of money, in order to put the ſaid road in a proper condition to be uſed: May it therefore please your moſt excellent majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That the ſaid herein-before recited act, and every clauſe, matter, and thing, therein contained, ſo far as the ſame relates to compelling the inhabitants of the pariſh of St. John to mend and keep in repair the road from the town of St. Jago de la Vega, through the ſavanna, to the foot of the red hills leading to Guanaboa, in the pariſh of St. John, be, and the ſame are hereby, annulled, repealed, and made void, to all intents and purpoſes; any thing in the ſaid act to the contrary in anywiſe notwithſtanding.

Recital of *clauſe* 1 *of the above act.*

Repeal of ſuch parts of recited act as are compulſory on the inhabitants of St. John.

II. And be it further enacted by the authority aforeſaid, That, from and immediately after the paſſing of this act, the juſtices and veſtrymen of the ſaid pariſh of St. John be, and they are hereby, authorized, empowered, and obliged, to lay a tax upon the inhabitants of the ſaid pariſh of St. John, for the raiſing the ſum of four hundred and fifty pounds, current money of this iſland, and to collect and levy the ſame in ſuch mode, manner, and form [*as*,] and along with, the parochial taxes to be raiſed, aſſeſſed, collected, and levied, in the ſaid pariſh of St. John.

Juſtices and veſtry to lay a tax on the inhabitants of St. John, for raiſing the ſum of 450*l.*

III. And be it further enacted by the authority aforeſaid, That the ſaid juſtices and veſtry of the ſaid pariſh of St. John ſhall, immediately after the ſaid ſum of four hundred and fifty pounds be collected as aforeſaid, and on or before the firſt day of Auguſt, which will be in the year of our Lord one thouſand ſeven hundred and ſeventy-eight, pay the ſame to the acting churchwarden of the ſaid pariſh of St. Catherine for the time being, to be by him laid out and expended in the repairing and amending of the ſaid road, ſo far as the ſame will go.

to be paid, in a ſpecified time, to the churchwarden of St. Catherine, for repairing the the road herein mentioned.

CAP. XXIII.

EXPIRED. *An act for granting protection to the properties of persons in the exercise of certain duties, and to exempt them from personal attendance on the courts of justice during the same.*—[16th June, 1778.]

CAP. XXIV.

EXPIRED. *An act to repeal such parts of an act for reviving and continuing two several acts of this island, the one entitled, "An act for the better regulating, training, and disciplining, the militia; and for enforcing and rendering more effectual an act entitled, 'An act for settling the militia," and the other entitled, "An act for paying the non-commissioned officers and private men of the militia," as relates to the paying the non-commissioned officers and private men of the militia.*—[23d October, 1778.]

Anno regni Georgii tertii decimo nono.

CAP. I.

EXPIRED. *An act for the prevention of indebted persons from departing this island in the time of martial law; and to empower the judges and justices to exercise their several offices in certain cases; and to empower the justices and vestry, and churchwardens, and surveyors of highways, to discharge their several duties; and to enable landlords to distrain for rent, notwithstanding martial law.*—[11th November, 1778.]

CAP. II.

EXPIRED. *An act for giving license to the captors, other proprietors, and purchasers of prize-goods, brought into and condemned as such in this island, to export the same, under certain regulations, free from any duties imposed by the laws of this island; and for the laying a duty on certain wines that may be brought in and condemned as prize, and sold in this island, and not already liable to any duty or impost.*—[11th November, 1778.]

CAP. III.

EXPIRED. *An act to repeal two several acts of this island, one entitled, "An act appointing commissioners for ordering and inspecting the works in and about the forts, fortifications, and barracks of this island;" the other entitled, "An act to add commissioners to those already appointed for carrying on the works in and about the forts, fortifications, and barracks of this island, and to those already appointed for building, finishing, and repairing, the public edifice in St. Jago de la Vega;" and for appointing commissioners for forts, fortifications, and public buildings.*—[11th November, 1778.]

CAP.

CAP. IV.

An act for eſtabliſhing and declaring rules and articles of war.—[23d December, 1778.] EXPIRED.

CAP. V.

An act to repeal an act entitled, "An act for veſting runaway ſlaves, not claimed by the proprietors within a certain time, in his majeſty, to be employed in the ſervice of the public;" and to direct how thoſe ſlaves, now veſted in his majeſty by virtue of the ſaid act, ſhall be diſpoſed of.

[23d December, 1778.]

WHEREAS an act entitled, *An act for veſting runaway ſlaves, not claimed by the proprietors within a certain time, in his majeſty, to be employed in the ſervice of the public*, paſſed in the year of our Lord one thouſand ſeven hundred and fifty-ſeven, hath, from experience, been found injurious and expenſive to the public, and by no means to anſwer the good purpoſes intended the ſervice of his majeſty: To remedy, therefore, the evils which flow from the ſaid recited act, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, and it is hereby enacted by the authority of the ſame, That the ſaid herein before-recited act, and every clauſe, matter, and thing, therein contained, be, and the ſame is hereby, annulled, repealed, and made void, to all intents and purpoſes whatſoever. Preamble. Repeal of recited act.

II. And whereas there are at this time ſeveral negro ſlaves employed in the ſervice of the public, in conſequence of the herein before-recited act, which ſaid ſlaves do frequently abſent themſelves from the ſervice of his majeſty, and thereby annually entail a very heavy expence on the public for gaol fees, and other charges, which greatly exceed the value of their labour: Be it therefore enacted by the authority aforeſaid, That Exelbee Lawford, eſquire, the receiver-general, or the receiver-general for the time being, ſhall, and he is hereby required and empowered, within ſix months after the paſſing of this act, to collect all and every of the ſaid ſlaves, by the ſaid act veſted in his majeſty, and that are not at ſuch time run-away, and expoſe them to ſale, from time to time, as they ſhall come into his poſſeſſion, not more than one in a lot, at public vendue, at the lower court-houſe in the town of Kingſton, between the hours of ten and twelve in the forenoon, to the higheſt and beſt bidder: And the captains or commanding officers of the ſeveral forts, fortifications, and barracks, throughout this iſland, and all other perſons whatſoever, are hereby required to deliver over to the ſaid receiver-general, or the receiver-general for the time being, all ſuch King's negroes to be collected and ſold by receiver-general; to whom all perſons having poſſeſſion of any are to deliver them.

ſlaves belonging to his majeſty as they may now, or at any time hereafter, have in their power, cuſtody, or poſſeſſion, for the purpoſe afore-mentioned: And the receiver-general is hereby directed to advertiſe the ſale of ſuch negroes, in each of the news-papers of this iſland, in the manner herein after directed, for the ſpace of one month at the leaſt preceding ſuch day of ſale:

Receiver-general to give public notice of such sales.

Form of the public notice.

Receiver-general's office, (the date)

NOTICE *is hereby given, that there will be expoſed to ſale, at public vendue, to the higheſt and beſt bidder, on the day of negro men, negro women, ſlaves, and children, agreeable to a law of this iſland.*

III. And be it further enacted by the authority aforeſaid, That the money to ariſe from ſuch ſale or ſales, after deducting the charge and expence of gaol fees, and the charges of advertiſing and commiſſions on the ſale, ſhall be to his majeſty, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof.

Disposal of the monies arising from the sales.

CAP. VI.

EXPIRED. *An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations*—[23d December, 1778.]

CAP. VII.

EXPIRED. *An act to prevent the ſevering of eſtates and plantations, lands, ſlaves, tenements, and hereditaments, by way of dower, and to alter the preſent mode of aſſigning ſuch dower; and for other purpoſes therein mentioned.*—[23d December, 1778.]

CAP. VIII.

EXPIRED. *An act for reviving and continuing an act of this iſland; entitled, "An act for the better regulating, training, and diſciplining, the militia; and for enforcing and rendering more effectual an act entitled, 'An act for ſettling the militia;"*—[23d December, 1778.]

CAP. IX.

EXPIRED. *An act to enable his excellency John Dalling, eſquire, captain-general, governor and commander in chief of this iſland, or the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time.*—[23d December, 1778.]

CAP.

CAP. X.

An act for the ascertainment and regulation of emblements.—[23d December, 1778.] EXPIRED.

CAP. XI.

An act for the further regulation of the service and execution of process, and the returns thereof; and other purposes relating to the service of jurors, and rendering the same a more equal duty.—[23d December, 1778.] EXPIRED.

CAP. XII.

An act to explain, alter, and amend, an act, passed in the year of our Lord one thousand six hundred and ninety-six, entitled, "An act for the better order and government of slaves."—[23d December, 1778.] REPEALED.

CAP. XIII.

An act to regulate wharfage and storeage.—[23d December, 1778.] EXPIRED.

CAP. XIV.

An act for raising and fitting out parties for suppressing any rebellion in this island, during the continuance of this act.—[23d December, 1778.] EXPIRED.

CAP. XV.

An act to repeal "An act to encourage the breed of good and large horses."—[23d December, 1778.]

WHEREAS an act entitled, *An act to encourage the breed of good and large horses*, made and passed in the year of our Lord one thousand seven hundred and seventy-one, hath been found to be burthensome and expensive to this island, and not to answer the good purposes for which it was intended: May it therefore please your most excellent majesty that it may be enacted, and be it enacted by the governor, council, and assembly, of this your majesty's island of Jamaica, and it is hereby enacted and ordained by the authority of the same, That the said act, and every clause, matter, and thing, therein contained, be, and the same are hereby, annulled, repealed, and made void, to all intents and purposes whatsoever; any thing in the said act to the contrary in anywise notwithstanding. Preamble. Repeal of recited act.

CAP. XVI.

An act for keeping in repair the harbour of Kingston, and for regulating the mooring of ships in the said harbour; and for restraining all masters or commanders of vessels, for the future, from heaving overboard ballast in any of the harbours or shipping places in this island.—[23d December, 1778.] EXPIRED.

CAP.

CAP. XVII.

An act appointing and enabling trustees to sell the land now occupied as a botanic garden; and, with the monies to arise from the sale thereof, to purchase other lands for the like purpose.—[23d December, 1778.]

Preamble.

WHEREAS ſir Charles Price, baronet, the honourable Philip Pinnock, the honourable Thomas Fearon, William James Hall, Edward Eaſt, Jaſper Hall, John Campbell, Samuel Williams Haughton, James Lewis, William Harvie, Scudamore Winde, and Matthew Wallen, eſquires, were nominated commiſſioners, with power and authority, to purchaſe a piece or parcel of land for a public botanic garden: And whereas they the ſaid commiſſioners did purchaſe of Haddeſley Baker, of the pariſh of St. Andrew, planter, and Chriſtian his wife, all that piece or parcel of land, ſituated, lying, and being, in the pariſh of St. Andrew aforeſaid, containing ſeventy-three acres, be the ſame more or leſs; being part and parcel of a piece of land patented the eighteenth day of November, in the thirty-third year of the reign of king Charles the ſecond, by John Drury, for one hundred acres, but found, on ſurvey made the firſt day of May, in the year of our Lord one thouſand ſix hundred and eighty-one, to contain one hundred and forty-ſeven acres, and butting and bounding north, now or heretofore, on waſte land, eaſt on the remaining part of the ſaid land in the poſſeſſion of the ſaid Haddeſley Baker, ſoutherly on Hog-Hole-River and captain Richard Brayné, and weſterly on Hope-River, or howſoever otherwiſe the ſame now is, or late was, butted, bounded, deſcribed, or known, commonly called and known by the name of Endfield-Hall; which ſaid piece or parcel of land is part and parcel of the land that was, by indenture bearing date the fifteenth day of May, in the year of our Lord one thouſand ſeven hundred and ſixty-nine, conveyed by the honourable Philip Pinnock and Grace his wife, to John Burlingham, and was, by the ſaid John Burlingham (by his attorney, James Borton), by indenture bearing date the nineteenth day of February, in the year of our Lord one thouſand ſeven hundred and ſeventy-two, conveyed to the ſaid Haddeſley Baker; as by deed, duly executed by the ſaid Haddeſley Baker and Chriſtian his wife, dated the twenty-fourth day of April, in the year of our Lord one thouſand ſeven hundred and ſeventy-five, recorded in the ſecretary's office of this iſland, reference being thereto had, will more fully and at large appear: And whereas the ſaid piece or parcel of land is found unfit for the purpoſe for which the ſame was intended: May it therefore please your moſt excellent majeſty that it may be enacted, and it is hereby enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, That the ſaid piece or parcel of land be veſted in the honourable Samuel Williams Haughton, Thomas Fearon, William James

Trustees appointed to

James Hall, Matthew Wallen, William Harvie, James Lewis, Edward Eaſt, Simon Taylor, Auguſtin Gwyn, Richard Cargill, and John Grant, eſquires, and they, and each and every of them, are hereby nominated and appointed truſtees to diſpoſe of and ſell the ſame, to the beſt bidder, for the moſt money that can be got; and they the ſaid truſtees, or any three or more of them, are hereby fully authorized and empowerd to diſpoſe of and ſell the ſaid piece or parcel of land, and, by deed under their hands and ſeals, or the hands and ſeals of any three or more of them, to convey the ſaid premiſes, to be held in fee-ſimple, to any perſon or perſons who ſhall purchaſe the ſame; and that, until ſuch deed can be made and executed as aforeſaid, ſuch purchaſer or purchaſers of the ſaid premiſes, paying the conſideration-money, and taking a receipt for the ſame from the commiſſioners, or any three or more of them, ſhall have a good and ſufficient title againſt his majeſty, his heirs and ſucceſſors; any thing heretofore to the contrary notwithſtanding.

ſell the above-deſcribed land.

The ir receipt to found a ſufficient title thereto.

II. And be it further enacted by the authority aforeſaid, That the ſaid truſtees as aforeſaid, or any three or more of them, are hereby authorized, empowered, and enabled, with the money to ariſe from the ſale of the ſaid premiſes, to purchaſe other lands for a public botanic garden, at or near the Bath, in the pariſh of St. Thomas in the Eaſt; which ſaid lands, when ſo purchaſed, are hereby declared to be veſted in them the ſaid truſtees, the ſurvivors and ſurvivor of them, and the heirs of ſuch ſurvivor, for ever, for the purpoſe of a public botanic garden, as aforeſaid.

With the proceeds, truſtees to purchaſe lands near Bath, for a public botanic garden; and be veſted therewith.

CAP. XVIII.

An act to prevent negro or other ſlaves from keeping horſes, mares, mules, geldings, or aſſes.—[23d December, 1778.]

EXPIRED.

CAP. XIX.

An act for veſting in truſtees the gaol of the county of Cornwall, to be by them ſold and diſpoſed of, to the beſt bidder that can be got for the ſame, at public ſale; and that the money ariſing from ſuch ſale may be applied by the truſtees, ſo to be appointed, towards building a new gaol in or near Savanna-la-Mar, in ſaid county.

[23d December, 1778.]

WHEREAS, by an act of the governor, council, and aſſembly, of this iſland, paſſed in the year of our Lord one thouſand ſeven hundred and fifty-nine, it was, among other things, enacted, That a ſufficient gaol ſhould be forthwith erected and built at the town of Savanna-la-Mar, in and for the county of Cornwall, at the expence of the public: And

32 Geo. II. cap. 3.

recital of part of clauſe 1 of the above act.

And whereas, under the authority of that act, ſuch gaol was accordingly erected, but which gaol is now in decay, and alſo too ſtrait for the ſafe-keeping of the priſoners, and, ſtanding upon ground of a low ſituation, is thereby rendered unhealthy to the priſoners, and dangerous to the inhabitants near it; all which inſufficiencies and inconveniencies make it neceſſary that a new gaol ſhould be erected and built, in a more commodious place, in or near the town of Savanna-la-Mar, in and for the county of Cornwall: And whereas the materials of which the preſent gaol is compoſed, if ſold, may raiſe a conſiderable ſum of money, to be applied towards the erecting and building of a new gaol in a more commodious place, in or near the ſaid town of Savanna-la-Mar, in and for the county of Cornwall: Be it therefore enacted, and it is hereby enacted and ordained by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, That, from and after the paſſing of this act, the preſent gaol, the lands on which it is ſituated and built, and all and ſingular the appurtenances, are, and ſhall be from thenceforth, veſted in the juſtices and veſtry of the pariſh of Weſtmorland, in the county of Cornwall, and the juſtices and veſtry of the ſaid pariſh for the time being, who are hereby declared truſtees for that purpoſe; and that it ſhall and may be lawful for ſuch juſtices and veſtry, and the juſtices and veſtry of the ſaid pariſh for the time being, or any five of them, to ſell and diſpoſe of the ſame to the beſt bidder or bidders, and to apply the monies, ariſing from the ſale or ſales thereof, towards erecting and building a new gaol in a more convenient ſpot of ground, in or near the town of Savanna-la-Mar, in and for the county of Cornwall, as aforeſaid; and which ſaid ſpot of ground the ſaid juſtices and veſtry of the ſaid pariſh of Weſtmorland, and in the ſaid county of Cornwall, and the juſtices and veſtry of the ſaid pariſh for the time being, are hereby empowered to purchaſe for the purpoſes aforeſaid.

Juſtices and veſtry of Weſtmorland authorized to ſell old gaol, &c. and apply the money towards building a new one.

II. And be it further enacted by the authority aforeſaid, That, over and above the monies to ariſe from ſuch ſale or ſales, a ſum, not exceeding one thouſand pounds, be appropriated and applied for the purpoſes aforeſaid; and that the receiver-general for the time being ſhall pay, from time to time, to the orders of the ſaid juſtices and veſtry of the pariſh of Weſtmorland, in the county of Cornwall, or to the order of the juſtices and veſtry of the ſaid pariſh for the time being, who are hereby appointed commiſſioners for the building the ſaid new gaol, in or near the town of Savanna-la-Mar, in the county of Cornwall aforeſaid, or to any five of them, ſuch monies as ſhall be expended in and about the purchaſing land, and building the ſaid gaol, not exceeding the ſum of one thouſand pounds, over and above the amount of the monies ariſing from ſuch ſale or ſales, as aforeſaid.

1000*l.* granted, in addition to proceeds of ſale.

CAP. XX.

EXPIRED. *An act to prevent horſe-ſtealing, and for preventing the ſtealing and deſtroying of ſheep, goats, and other cattle.*—[23d December, 1778.]

CAP.

CAP. XXI.

An act for aſcertaining who ſhall compoſe future councils of war, and regulating their proceedings.—[23d December, 1778.] DISALLOWED.

CAP. XXII.

An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes.—[23d December, 1778.] EXPIRED.

CAP. XXIII.

An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes.—[23d December, 1778.] EXPIRED.

CAP. XXIV.

An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.—[23d December, 1778.] EXPIRED.

CAP. XXV.

An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and applying the ſame to ſeveral uſes.—[23d December, 1778.] EXPIRED.

CAP. XXVI.

An act for granting an additional ſubſiſtence to his majeſty's ſeventy-ninth regiment of foot, quartered in this iſland.—[3d July, 1779.] EXPIRED.

CAP. XXVII.

An act for ſettling and regulating the price and aſſize of bread in the ſeveral pariſhes of this iſland.—[3d July, 1779.] EXPIRED.

CAP. XXVIII.

An act for raiſing a ſum of money by way of lottery, for the better ſubſiſtence of his majeſty's troops quartered in this iſland.—[3d July, 1779.] EXPIRED.

CAP. XXIX.

An act for poſtponing the drawing the lottery, and for appointing a future time for drawing the ſame.—[20th Auguſt, 1779.] EXPIRED.

CAP. XXX.

EXPIRED. *An act to ſecure the monies which have already been lent to the public; and to empower his majeſty's receiver-general, or the receiver-general for the time being, to borrow a further ſum of money, not exceeding thirty thouſand pounds, current money of this iſland, within the ſpace of twelve months from the paſſing of this act, at an intereſt of ſix pounds* per centum per annum, *to pay the troops quartered in this iſland, and for other purpoſes.*—[20th Auguſt, 1779.]

CAP. XXXI.

EXPIRED. *An act for the completing, finiſhing, and repairing, the works now carrying on for the defence of the iſland.*—[18th September, 1779.]

CAP. XXXII.

EXPIRED. *An act for ſubſiſting the militia in the time of martial law; and for accommodating them, and alſo his majeſty's regular forces quartered in this iſland, while on march.*—[18th September, 1779.]

Anno regni Georgii tertii viceſimo.

CAP. I.

EXPIRED. *An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.*—[26th November, 1779.]

CAP. II.

EXPIRED. *An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations.*—[26th November, 1779.]

CAP. III.

An act to limit the duration of aſſemblies.

[26th November, 1779.]

Preamble. WHEREAS, the limiting the duration of aſſemblies tends to the ſatisfaction of the people, and the preſervation of their juſt rights and liberties: We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, moſt humbly

bly beſeech your majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, and it is hereby enacted by the authority of the ſame, That, from henceforth, no aſſembly whatſoever, that ſhall at any time hereafter be called, convened, and held, ſhall have any continuance longer than ſeven years only at the fartheſt; to be accounted from the day on which, by the writ of ſummons, the ſaid aſſembly ſhall be appointed to meet.

No future aſſembly to have continuance longer than ſeven years.

II. And be it further enacted, That this aſſembly, from and after the firſt day of February, in the year of our Lord one thouſand ſeven hundred and eighty-one, ſhall be and ſtand diſſolved: Provided always, That nothing in this act contained ſhall be conſtrued to impeach any power which the governor, or commander in chief for the time being, ſhall or may have, of diſſolving this or any future aſſembly ſooner, if he thinks fit.

Preſent aſſembly to diſſolve on Feb. 1, 1781.

Saving the governor's rights.

CAP. IV.

An act for appointing Stephen Fuller, eſquire, an agent in Great-Britain, to ſolicit the paſſing of laws, and for tranſacting in Great-Britain other public affairs of this iſland; and for empowering certain members of the council and aſſembly, during the intervals of aſſembly, from time to time, as occaſion ſhall require, to give inſtructions for ſuch his management.—[26th November, 1779.]

EXPIRED.

CAP. V.

An act to regulate the trials of controverted elections, or returns of members to ſerve in aſſembly.—[26th November, 1779.]

EXPIRED.

CAP. VI.

An act empowering any one of the judges of the ſupreme court of judicature to take the examination of witneſſes leaving this iſland, in any action brought, or to be brought, for the recovery of debts actually in ſuit, in the ſame manner as if ſuch examination had been taken and returned under the ſeal of the city of London, purſuant to an act of parliament paſſed in the fifth year of the reign of George the ſecond.—[26th November, 1779.]

REPEALED.

CAP. VII.

An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes.—[23d December, 1779.]

EXPIRED.

CAP. VIII.

An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and

EXPIRED.

to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.—[23d December, 1779.]

CAP IX.

EXPIRED. *An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and alſo for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.*—[23d December, 1779.]

CAP. X.

EXPIRED. *An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes.*—[23d December, 1779.]

CAP. XI.

EXPIRED. *An act for aſcertaining who ſhall compoſe future councils of war; and for ſubſiſting the militia in time of martial law; and for other purpoſes reſpecting the ſaid militia.*—[23d December, 1779.]

CAP. XII.

EXPIRED. *An act for eſtabliſhing and declaring rules and articles of war.*—[23d December, 1779.]

CAP. XIII.

EXPIRED. *An act to enable his excellency John Dalling, eſquire, captain-general, governor, and commander in chief of this iſland, or the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland for a limited time.*—[23d December, 1779.]

CAP. XIV.

EXPIRED. *An act for granting an additional ſubſiſtence to his majeſty's eighty-eighth regiment of foot, quartered in this iſland.*—[21ſt April, 1780.]

Anno regni Georgii tertii viceſimo primo.

CAP. I.

EXPIRED. *An act for aſcertaining who ſhall compoſe future councils of war; and for ſubſiſting the militia in time of martial law; and for other purpoſes reſpecting the ſaid militia.*—[1ſt December, 1780.]

CAP. II.

EXPIRED. *An act for eſtabliſhing and declaring rules and articles of war.*—[1ſt December, 1780.]

CAP. III.

EXPIRED. *An act for amending and keeping in repair the road leading from Joſeph Price's Gate, in the pariſh of St. Ann, over Mount-Diablo, to Rio-Magno-Gully, in St. Thomas in the Vale; and for veſting in truſtees the toll to be raiſed by a turnpike on the ſaid road, for the purpoſes aforeſaid.*—[1ſt December, 1780.]

CAP.

CAP. IV.

An act to repeal an act entitled, " *An act to prevent the enticing or inveigling of slaves from the poſſeſſors, and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;*" *and alſo one other act, entitled,* " *An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled,* ' *An act for the better order and government of ſlaves;*' *and the other entitled,* ' *An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;*" *and alſo one other act, entitled,* " *An act to repeal part of an act entitled,* ' *An act for the better order and government of ſlaves;*' *and alſo of one other act, entitled,* ' *An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;*' *and alſo part of one other act entitled,,* ' *An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled,* ' *An act for the better order and government of ſlaves,* ' *and the other entitled,* ' *An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;*' [and for the more effectual preventing the inveigling, hiding, concealing, or employing, the ſlaves of others; and for rendering the puniſhment of ſuch offenders more certain and effectual;]" *and alſo part of an act entitled,* " *An act for the better order and government of ſlaves; and to prevent the hiding, concealing, inveigling, detaining, knowingly harbouring, or employing, the ſlaves of others; and for the preventing the tranſportation of ſlaves by mortgagers and tenants for life and years; and for regulating abuſes committed by ſlaves.*—[1ſt December, 1780.] EXPIRED.

CAP. V.

An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.—[1ſt December, 1780.] EXPIRED.

CAP. VI.

An act for the better order and government of the negroes belonging to the ſeveral negro-towns, and for preventing them from purchaſing of ſlaves; and for encouraging the ſaid negroes to go in purſuit of runaway ſlaves; and for other purpoſes therein mentioned.—[1ſt December, 1780.] EXPIRED.

CAP. VII.

An act for regulating the fees of the maſters of the high court of chancery of this iſland.—[1ſt December, 1780.] EXPIRED.

CAP. VIII.

An act to prevent the ſmuggling foreign produce into this iſland.—[1ſt December, 1780.] EXPIRED.

CAP.

CAP. IX.

EXPIRED. *An act for amending and keeping in repair the road leading from St. Jago de la Vega, in the parish of St. Catherine, to St. Jago Plantation, in the parish of Clarendon; and for vesting in trustees the toll raised by a turnpike on the said road, for the purposes aforesaid.*—[1st December, 1780.]

CAP. X.

EXPIRED. *An act for regulating the proceedings of surveyors of land, and for the better regulating and establishing their fees.*—[16th December, 1780.]

CAP. XI.

An act for alloting lands, and vesting the same in trustees, for new-building the town of Savanna-la-Mar; for making aqueducts or canals for conveying fresh and sea-water thereto; and for other purposes.

[16th December, 1780.]

Preamble. WHEREAS the town of Savanna-la-Mar is the county-town for the county of Cornwall, a place of considerable trade, and where the courts of assize, oyer and terminer and gaol delivery, are by law appointed to be held; is a port of entry and clearance, a free port, the place of transacting the public and parochial business, and one of the principal barquadiers in the parish of Westmorland, in the said county: And whereas, in the night of the sixth day of December, one thousand seven hundred and seventy-nine, a dreadful fire broke out in the said town, whereby the greater part thereof was consumed and destroyed; and which fire, it is believed, began in a mean hovel, the work-shop of a carpenter or cabinet-maker, in the principal street of the said town: And whereas the rapid progress of the fire was chiefly owing to the narrowness of the streets, avenues, lanes, and alleys thereof, and the want of proper and sufficient party-walls to the houses, proof against fire; and to the buildings being constructed of timber and boards, and covered with shingles; and to the fences being made of timber, boards, stockadoes, or other inflammable materials; and to there being large quantities of gunpowder, pitch, tar, rosin, turpentine, cordage, and other combustible matters stored in the said town: And whereas, on the third day of October last, it pleased the Almighty God, by a dreadful storm, hurricane, and inundation of the sea, to lay waste and destroy such or the greatest part of the habitations and dwelling-houses, stores, wharves, and other buildings of the inhabitants of the said town, as were not consumed or destroyed by the said fire, whereby the said town is become an entire ruinate, and whereby the lives of a great number of his majesty's subjects, and their slaves, were lost, and their goods, merchandise, books, papers, securities, and other valuable effects, carried away, demolished, or otherwise destroyed, to the utter ruin and impoverishment of many families

which

which were reſident in the ſaid town: And whereas the inhabitants of the ſaid town, are of opinion that, by extending the town further inland, their lives and properties will be rendered more ſecure againſt thoſe perils that ariſe from ſtorms, hurricanes, and inundations; and they therefore propoſe the ground now called the Savanna, next adjoinging to the ground whereon the ſaid town lately ſtood, as the moſt eligible, ſafe, and convenient place to erect a new town upon, to build a court-houſe, market-houſe, and ſuch other neceſſary public edifices and buildings as may tend as well to the accommodation of the inhabitants, as to the utility of the county at large: And whereas it will tend greatly to the advancement and improvement of the trade of the ſaid town, and to the eaſe and conveniency of the inhabitants thereof, as well as of the ſaid county at large, that a canal, aqueduct, or baſon, ſhould be made and cut from the ſea to the ſaid town, for the more effectual conveyance of goods and merchandiſe to and from the ſaid town; and alſo, that the moſt effectual means ſhould be uſed for bringing freſh water to the ſaid town: And whereas, by the laws now in being, no proviſion is made for the purchaſing fire-engines, buckets, and ſuch-like utenſils, and the ſinking of wells to ſupply the ſame with water, and the other neceſſary expences attending the keeping the ſame in repair, and the perſons to be employed in and about the ſame: And whereas it is requiſite, in order to carry the ſaid plan or deſign into execution, that a line be extended from the ſea, beginning at Goodin's wharf, to the fording-place in the king's highway of Kirkpatrick-River, and from thence in a ſtraight line to the fording-place in the king's road at Dunbar's Gut, and from thence in a ſtraight line to the ſea, at a place called the Creek, to the eaſtward of the old town of Savanna-la-Mar, and that all the lands within and between the ſaid lines ſhould be veſted in truſtees, for the uſes aforeſaid; part of which may be the eſtates of infants, feme-coverts, or other perſons who by law are diſabled to make any contracts or conveyances; in all which caſes, as likewiſe where any proprietors, intending either to obſtruct ſuch intended plan or deſign, or to make unreaſonable gain to themſelves, inſiſt on extravagant prices and rates, it will be neceſſary to have recourſe to the uſual methods that have been taken in like caſes: May it pleaſe your moſt excellent majeſty, at the humble petition and deſire of the freeholders and others, inhabitants of the ſaid pariſh and county, that it may be enacted, and be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That it ſhall and may be lawful to and for the honourable John Cope, eſquire, the *cuſtos rotulorum* of the ſaid pariſh, or the *cuſtos rotulorum* of the ſaid pariſh for the time being; John Cope and George Crawford Ricketts, eſquires, the preſent repreſentatives in aſſembly for the ſaid pariſh, or the repreſentatives in aſſembly for the ſaid pariſh for the time being; any four of the juſtices of the peace for the ſaid pariſh for the time being, the four ſenior juſtices preſent at any meeting to be deemed the ſaid four juſtices, and no other; the rector of the ſaid pariſh for the time

Truſtees appointed for new building Savanna-la-Mar.

time being; the preſent churchwardens of the ſaid pariſh, and the churchwardens of the ſaid pariſh for the time being; and the veſtrymen of the ſaid pariſh for the time being; be, and they are hereby appointed, the truſtees for the carrying this act into execution: And the ſaid truſtees, or any ſeven or more of them, are hereby authorized, empowered, and required, to make, or cauſe to be made, ſurveys of the ſaid lands, and to cauſe a plat or diagram thereof to be made, wherein ſhall be particularly laid down and deſcribed the names of the reſpective owners and proprietors, and the quantity or quantities of each reſpective owner or proprietor: And, to the intent that all due encouragement and expedition may be given to the ſaid work, and that all impediments and obſtructions may be removed, and reaſonable ſatisfaction may be given for all ſuch lands, tenements, hereditaments, and ſhoal-water, as ſhall be thought convenient to be taken and employed, or purchaſed for the uſes aforeſaid, the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt ſhall be magiſtrates, are hereby authorized to treat and agree with the owners and others intereſted in any ſuch lands, tenements, hereditaments, or ſhoal-water: And in caſe any perſon or perſons ſhall wilfully decline or refuſe to treat and agree as aforeſaid, or, through any diſability of non-age, coverture, or by reaſon of any other impediment, cannot diſpoſe of their reſpective intereſts in ſuch lands, tenements, hereditaments, or ſhoal-water, in every ſuch caſe the ſaid truſtees, or any ſeven or more of them, two of whom at the leaſt to be magiſtrates, are hereby authorized and required to iſſue forth their warrant or warrants, as ſoon as conveniently may be after the paſſing of this act, directed to the provoſt-marſhal, or to his lawful deputy for the ſaid pariſh of Weſtmorland, to empannel and return before the ſaid truſtees, or any ſeven or more of them, a ſufficient jury; who, upon their oaths (which the ſaid truſtees, or any ſeven or more of them, two of whom at the leaſt to be magiſtrates, are hereby empowered to adminiſter) ſhall inquire into the true value of ſuch lands, tenements, or hereditaments, within the deſcription of the ſaid plat, and ſuch ſhoal-water, as the ſaid truſtees, or any ſeven or more of them, two of whom at the leaſt to be magiſtrates, ſhall think requſite to be purchaſed for the purpoſes aforeſaid, and give their verdict or inquiſition thereof to the ſaid provoſt-marſhal, or to his lawful deputy for the ſaid pariſh of Weſtmorland; who is hereby required to return and certify the ſame under his and their hands into the office of the clerk of the peace for the ſaid pariſh of Weſtmorland, within five days from the taking of ſuch inquiſition, under the penalty of one hundred pounds; which ſaid valuation, ſo returned, ſhall be, in the office of ſuch clerk of the peace, recorded, and, being ſo returned and recorded, ſhall be final and concluſive to and againſt all perſons whatſoever.

Trustees to cause surveys and plats of the lands to be made, particularizing properties;

and to agree for the purchase of them.

In case of disputes or disabilities, a jury to be summoned;

who are to value the lands, &c.

and give their verdict to the marshal, to be recorded.

Their award to be conclusive.

II. Provided nevertheleſs, and, to the intent that all and ſingular [*the*] proprietors aforeſaid may be paid, for their reſpective eſtates and intereſts, all and every ſuch ſum and ſums of money as ſhall be agreed [*for*],

or

or aſſeſſed upon oath, as aforeſaid, Be it enacted by the authority aforeſaid, That the ſaid truſtees, or any ſeven or more of them, two of whom at the leaſt to be magiſtrates, ſhall, and they are hereby authorized and empowered, ſo ſoon as the amount of the purchaſe-money of the ſaid lands, ſo to be purchaſed, ſhall be aſcertained, to pay and ſatisfy the ſame, or ſecure it to be paid and ſatisfied, in the manner and out of the funds herein-after for that purpoſe mentioned; and that, immediately upon ſatisfying ſuch proprietors, the ſaid lands and water, ſo allotted, ſhall for ever afterwards be, and are hereby declared to be, abſolutely veſted in the ſaid truſtees, to the uſes and purpoſes herein-before and herein-after mentioned; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Payment to be secured on aſcertainment of property;

which is then to be veſted in the truſtees.

III. And be it further enacted and ordained by the authority aforeſaid, That a line be extended from the ſea, beginning at Goodin's wharf, to the fording-place in the king's highway at Kirkpatrick River, and from thence in a ſtraight line to the fording-place in the king's road at Dunbar's Gut, and from thence in a ſtraight line to the ſea at a place called the Creek, to the eaſtward of the old town of Savanna-la-Mar, in which the ground of the old town is included; and that all the lands within and between the ſaid lines ſhall be, and for ever hereafter be taken, eſteemed, and deemed, the town of Savanna-la-Mar; and that the ſaid lines or boundaries be deemed the boundaries of the ſaid town.

Lines and boundaries of the new town of Savanna-la-Mar.

IV. And be it further enacted and ordained by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid truſtees, or any ſeven or more of them, two of whom at the leaſt to be magiſtrates, to deſign and lay out, or cauſe to be deſigned and laid out, the ſaid town, in ſuch and ſo many new ſtreets, ſquares, avenues, lanes, and alleys, of ſuch extent and dimenſions, as to them ſhall ſeem moſt proper and convenient, and as may prove conducive to the ſecurity of the ſaid town, and to the health of the inhabitants thereof: And that it ſhall and may be lawful to and for the ſaid truſtees, or any ſeven or more of them, two of whom to be magiſtrates, to chooſe a convenient ſpot of ground, within the limits and boundaries of the ſaid town, whereon to erect a court-houſe, for the holding of the aſſizes in and for the county of Cornwall; and, to thoſe ends and purpoſes, ſhall and they have hereby full power to contract for, ſuperintend, and direct, the building of the ſaid court-houſe, and to ſuperintend, direct, and control, the building of the ſaid town, and to prevent any hovels, huts, or fences, being built or made, that may endanger the ſecurity of the ſaid town, or the health of the inhabitants thereof: And, upon complaint made by the ſaid truſtees, or any ſeven or more of them, to two or more of his majeſty's juſtices of the peace for the ſaid pariſh, that there are any hovels, huts, or fences, on any part of the ſaid town, and that the ſame being permitted to remain may endanger the ſecurity of the ſaid town, or the health of the inhabitants thereof, it ſhall

Truſtees to deſign and lay out the ſtreets, ſquares, &c.

to cauſe a court-houſe to be built;

and prevent the making dangerous huts or fences.

If ſuch made, truſtees to complain to magiſtrates,

who are to order constables to remove them.

and may be lawful for ſuch two or more juſtices of the peace to iſſue their warrant, under their hands and ſeals, directed to any lawful conſtable or conſtables of the ſaid pariſh, commanding him or them to pull down and remove ſuch hovels, huts, or fences; and if any houſes in the ſaid town ſhall be at any time hereafter ſuffered to fall to decay, ſo that the lives of his majeſty's ſubjects, or the ſecurity of the ſaid town, may be endangered, that then, and in ſuch caſe, and upon complaint being made thereof as aforeſaid, before any two or more of his majeſty's juſtices of the peace for the ſaid pariſh, ſuch juſtices ſhall have, and they hereby have, full power and authority to grant their warrant, under hand and ſeal, directed to any lawful conſtable or conſtables of the ſaid pariſh, authorizing and empowering him or them to pull down, raze, and remove, ſuch houſes that ſhall be ſuffered to fall to decay, as aforeſaid: Provided always nevertheleſs, That any perſon or perſons, injured by ſuch proceedings of the ſaid juſtices as aforeſaid, may ſue forth his majeſty's writ of *certiorari* in the uſual manner, and by traverſe or otherwiſe, bring the ſpecial matter in iſſue to be tried before the juſtices of aſſize and a jury of the ſaid county, at the uſual courts of aſſize, and oyer and terminer and gaol delivery, for the ſaid county: Provided alſo, That the perſon or perſons ſuing forth ſuch writ of *certiorari* ſhall, upon the matter being put in iſſue, as aforeſaid, found againſt him, her, or them, or ſhall, after ſuing forth ſuch writ of *certiorari*, omit, neglect, or refuſe, to proſecute the ſame with effect, the ſaid juſtices of aſſize, in their ſaid court of aſſize, ſhall tax and order double coſts againſt ſuch perſon and perſons, to be by him, her, or them, paid to the party or parties they ſhall adjudge intitled thereto, and the payment thereof to enforce by commitment, attachment, or otherwiſe; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

If houses become decayed, they are, on complaint, to be pulled down.

Persons thinking themselves injured thereby may apply to the court of assize.

If cause given against them, they must pay double costs.

Penalties on justices and constables for neglect.

V. And be it further enacted by the authority aforeſaid, That if any juſtice or juſtices, conſtable or conſtables, ſhall neglect or refuſe to do his or their duty herein, every ſuch juſtice ſhall, for every offence, forfeit the ſum of twenty pounds, and every conſtable the ſum of five pounds; to be recovered in manner as herein-after mentioned.

Trustees empowered to buy fire-engines and buckets, and to sink wells.

VI. And, for the better prevention of fire in the ſaid town, be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the ſaid truſtees, or any ſeven or more of them, two of whom at the leaſt to be magiſtrates, to buy, for the uſe of the ſaid town, two or more fire-engines, and a proper and ſufficient number of buckets, other implements and materials, and to ſink, or cauſe to be ſunk, in the ſaid town, one or more wells, and to erect, or cauſe to be erected, a pump to each well, at ſuch fit and convenient place and places as they ſhall think proper; and the ſaid engines, wells, pumps, and buckets, with all other implements and materials thereto belonging, from time to time, to keep in good and ſufficient repair.

VII. And

VII. And be it further enacted by the authority aforeſaid, That when the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, ſhall have fixed upon and made choice of any piece or pieces of ground within the ſaid town, for the ſinking of ſuch one or more wells, and the erecting pumps, and keeping the fire-engines, as aforeſaid, if the owner or proprietor of ſuch piece of ground ſhall not conſent or agree to the ſame being taken for the uſes aforeſaid, or ſhall not conſent or agree to a price or fixed value for the ſame, it ſhall and may be lawful for any two or more of the juſtices of the peace of the ſaid pariſh, and they are hereby authorized and required, upon application made to them for that purpoſe, to iſſue their warrant, under hands and ſeals, to any conſtable of the ſaid pariſh, who is hereby required to execute the ſame, and to ſummon twenty-four freeholders of the ſaid pariſh, twelve of whom ſhall be ſworn as a jury by the ſaid juſtices, well and truly to value ſuch piece of ground; and, upon ſuch valuation, and tender being made of the money that the ſame ſhall be ſo valued at to the owner or proprietor, and upon proof thereof on oath before a judge of the ſupreme court of judicature, or the cuſtos of the ſaid pariſh for the time being, and recorded in the ſecretary's office of this iſland, the ſame ſhall be a perpetual bar to all claim of the proprietor or proprietors, and all perſons claiming by, from, or under, him, her, or them, or any of them; and it ſhall be lawful for the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, to ſink or cauſe to be ſunk wells, to erect or cauſe to be erected pumps, and to keep or cauſe to be kept fire-engines, thereon; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

If diſputes arise with owners of land fixed on for ſinking wells, &c. a jury to ſettle them.

Valuation to be paid or tendered to the owner.

Tender being proved and recorded, owner loſes all claim.

VIII. And be it further enacted by the authority aforeſaid, That the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, ſhall have full power and authority to chooſe, nominate, and appoint, a clerk and other proper officers, for the purpoſe of entering and keeping minutes and records of their tranſactions, and for the doing other the buſineſs of the ſaid truſtees, or any ſeven or more of them; and to pay and allow him and them ſuch reaſonable ſalary, recompenſe, or reward, as to them it ſhall ſeem meet; and the ſame, upon any neglect or miſdemeanor, to diſplace and remove, and, upon the death, reſignation, diſability, or removal, of ſuch clerk and other officers, as aforeſaid, in his and their place and ſtead to appoint any other perſon for the purpoſe aforeſaid.

Truſtees to appoint a clerk and other officers;

pay them ſalaries,

and diſmiss them, if neceſſary.

IX. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, and they hereby have full licenſe, power, and authority, to erect and eſtabliſh, within the bounds and limits of the ſaid town, a market, for the killing, vending, and ſelling, of neat and other cattle and ſtock, and for vending fiſh and proviſions of all kinds;

They are alſo to eſtabliſh a market within the limits of the town,

fix market-days, and regulate its management.

the ſame to be held upon ſuch days and times, and under and ſubject to ſuch rules and regulations for its better order and government, and of the perſons killing, ſelling, and vending, any of the matters aforeſaid, as to the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, ſhall ſeem meet.

Land to be uniformly run out for the town, and divided into lots;

which are to be granted as town lots.

X. And be it further enacted and ordained by the authority aforeſaid, That the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, ſhall cauſe the ſaid land upon which the ſaid town is to be built, or ſo much and ſuch part thereof as to them ſhall ſeem expedient, to be run out, and divided in an uniform manner into lots or parcels, in ſuch manner and dimenſions as they ſhall direct, to be leaſed or granted by the ſaid truſtees as town lots, under the limitations and reſtrictions in this act mentioned.

Trustees to grant leases, not exceeding ninety-nine years,

and to convey in fee-simple, at their discretion,

XI. And be it further enacted and ordained by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, and they are hereby authorized, empowered, and required, by inſtruments in writing under their hands and ſeals, to grant leaſes for any term or terms, not exceeding ninety-nine years, to any perſon or perſons who ſhall or may chooſe to leaſe and apply for any of the town lots, for ſuch conſiderations, reſerving ſuch ground-rents, and upon ſuch terms of building thereon, as the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, ſhall think reaſonable and expedient; and in like manner, at their diſcretion, to convey and aſſure a good and indefeaſible eſtate, in fee-ſimple, unto all and every perſon and perſons who may chooſe to purchaſe and apply for any of the ſaid town lots; and that ſuch leaſes and grants ſo made ſhall enure, to all intents and purpoſes, to ſuch leſſee or leſſees, grantee or grantees, their heirs, executors, adminiſtrators, and aſſigns, according to the reſpective eſtates ſo granted; any law or cuſtom to the contrary in anywiſe notwithſtanding: Provided always, That if any perſon or perſons, to whom any of the ſaid town lot or lots ſhall be leaſed or granted, ſhall neglect or refuſe to fence in ſuch lot or lots for the ſpace of ſix calendar months from the date or dates of his or their reſpective leaſe or leaſes, grant or grants, or ſhall not, within eighteen calendar months from the date or dates of ſuch reſpective leaſe or leaſes, grant or grants, build a dwelling-houſe on his or their lot or lots, of the value of three hundred pounds at the leaſt, or, when built, ſhall neglect to ſupport ſuch building for the ſpace of two years together, every ſuch perſon ſo neglecting or refuſing ſhall be, and they are hereby, deemed to have forfeited his or their reſpective lots ſo leaſed or granted; and the ſame are, and ſhall be immediately, re-veſted in the ſaid truſtees and their ſucceſſors, to be leaſed or granted by the ſaid truſtees to ſuch perſon or perſons as ſhall apply for the ſame, and be willing to comply with the terms required by this act.

Conditions to which lessees and grantees must adhere, or forfeit their lots;

which may be granted to other persons.

XII. And

Town lots not to exceed an acre each, and only one allowed to one person.

XII. And be it further enacted and ordained by the authority aforesaid, That the said town lots, so to be laid out, leased, and granted, by the said trustees, shall not exceed one acre each; and that the said trustees shall not lease or grant more than one of the said lots to any one person.

Trustees empowered to convey fresh water to the town;

XIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said trustees, or any seven or more of them, two of whom at least to be magistrates, by a canal or canals, gutter or gutters, pipe or pipes, or by such other means as shall appear to them to be most practicable and expedient, to conduct, convey, and bring, or cause to be conducted, conveyed, and brought, from the tail of the water-mill upon Cornwall estate, the property of the heirs of William Lewis, esquire, deceased, or any spring, river, or stream, in the said parish of Westmorland, the nearest and most convenient to the said town, a sufficient quantity of fresh water, to and for the use of the said town, and the inhabitants thereof: And, to the end that all impediments may be removed, and reasonable satisfaction may be given to the owners or proprietors of all such lands, through which it may be found necessary to convey the said fresh water in the manner aforesaid, for any injury, loss, or damage, such owners or proprietors, or their lands, tenements, or hereditaments, may suffer or sustain by such conveyance of the said water, the said trustees, or any seven or more of them, two of whom at least to be magistrates, are hereby authorized to treat and agree with such owners or proprietors for or concerning the purchase of any lands that may be necessary for the purposes of conveying the said water as aforesaid, and for or concerning any injury, loss, or damage, such owner or proprietor may sustain: And in case any person or persons shall wilfully decline or refuse to treat and agree as aforesaid, or, through any disability, by non-age, coverture, or by reason of any other impediment, cannot dispose of any such interest in their respective lands, or treat or agree about or concerning any such injury, loss, or damage, in every such case the said trustees, or any seven or more of them, two of whom at least to be magistrates, are hereby authorized and required to issue forth their warrant or warrants to the said marshal, or his lawful deputy for the said parish of Westmorland, to empannel and return before the said trustees, or any seven or more of them, two of whom at least to be magistrates, at such time and place as shall be appointed in such warrant or warrants, a sufficient jury; who, upon their oaths (which the said trustees, or any seven or more of them, two of whom at least to be magistrates, are hereby empowered to administer), shall inquire into the true value of all such lands as the said trustees, or any seven or more of them, two of whom at least to be magistrates, shall think requisite to be purchased for the purposes aforesaid, and inquire also into any such injury, loss, or damage, and give their verdict or inquisition thereof to the said provost-marshal, or his deputy for the said parish; who is hereby required to return and certify the same under his hand and seal, into the office of the clerk of the peace for the said parish, there to be recorded, under the penalty of twenty pounds; which

and to purchase the land through which it is necessary to convey the same,

In case of refusal or disability, respecting lands wanted for the aqueduct, a jury to be summoned;

who are to value them,

and inquire into damages.

Verdict to be recorded,

and be final.

which ſaid valuation, ſo returned and recorded, ſhall be final and concluſive to and againſt all perſons whatſoever; ſuch purchaſe, injury, loſs, and damage, to be paid for and ſatisfied in manner herein after mentioned.

Trustees empowered to cut a canal from the sea to the town, for landing and exporting goods.

XIV. And be it further enacted and ordained by the authority aforeſaid, That the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, ſhall have full power and authority, and they are hereby authorized and empowered, to deſign, direct, and order, a canal, aqueduct, or baſon, to be made, cut, or built, in, through, upon, and within, the ſaid lands herein before allotted for the ſaid town, of ſuch length, breadth, and depth, as the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, ſhall think expedient, for the purpoſe of letting or conveying the ſea water up to the ſaid town ſo to be built, in order and to the intent that all goods, merchandiſe, and produce, which it may be neceſſary to import to, or land at, or export from, the ſaid town, may be landed at and exported immediately from the ſaid town, or within ſuch diſtance therefrom as ſhall be found moſt expedient.

Trustees to meet to receive propoſals, and make agreement, for conducting the fresh water to the town, and for other purposes.

XV. And be it further enacted by the authority aforeſaid, That the ſaid truſtees, or any ſeven or more of them, two of whom to be magiſtrates, ſhall, within three months after the paſſing of this act, meet at ſome public and convenient place in the ſaid town or pariſh (public notice being firſt given in the Cornwall Chronicle, or any other of the public news-papers, of the day appointed, fourteen days at leaſt before ſuch intended meeting), in order to receive propoſals, and to make and enter into [*any*] contract and agreement with any perſon or perſons, for the bringing and conveying the freſh water to the ſaid town by the means aforeſaid, and for ſuch other of the purpoſes aforeſaid as they the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, ſhall think meet and convenient; and ſhall then adjourn themſelves, and afterwards meet and adjourn as often, and to ſuch time or times, and place or places, within the ſaid town or pariſh, as ſhall be thought neceſſary for the purpoſe aforeſaid.

Property of the fresh water, aqueducts, &c. vested in trustees;

who are enabled to proceed against persons doing damage thereto,

Offenders to be punished

XVI. And be it further enacted and ordained by the authority aforeſaid, That the right and property of the ſaid freſh water, ſo to be brought and conveyed to the ſaid town, and of the aqueducts, canals, gutters, and pipes, which ſhall convey the ſame, and alſo of the ſaid ſea water, and the canal, aqueduct, or baſon, which ſhall be cut, made, or built, for letting or conveying the ſaid water to the ſaid town, ſhall be veſted in the ſaid truſtees; and they, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, are hereby authorized and empowered to bring actions, and alſo to prefer bills of indictment, againſt any perſon or perſons who ſhall wilfully pull down, break, damage, or otherwiſe deſtroy or injure, the ſaid intended works for conveying the ſaid freſh and ſea water to the ſaid town, or the materials thereof, or any part thereof: And the offender or offenders, being lawfully convicted of ſuch offence, ſhall ſuffer ſuch puniſhment, by

by fine or impriſonment, or both, as ſhall be thought proper by the court or courts before whom ſuch indictment or indictments ſhall be tried; ſo as ſuch fine, upon any one conviction, ſhall not exceed the ſum of five hundred pounds, and ſuch impriſonment ſhall not exceed twelve months.

at diſcretion of the courts.

Limitation therein.

XVII. And be it further enacted and ordained by the authority aforeſaid, That it ſhall and may be lawful to and for the treaſurer or treaſurers, to be appointed by virtue of this act, to receive and take, from any perſon or perſons whatſoever, any ſum or ſums of money, by voluntary ſubſcription, for or towards the bringing and conveying the freſh and ſea water to the ſaid town, and which monies ſhall, from time to time, be paid into the hands of the treaſurer or treaſurers for the time being; and ſhall be by him or them paid and applied, for and towards the ſaid works for conveying the ſaid freſh and ſea water to the ſaid town as aforeſaid, in ſuch manner as the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, at their meetings to be had by virtue of this act, ſhall, from time to time, by writings under their hands, direct or appoint.

Treaſurer authoriz-d to receive voluntary ſubſcriptions,

and apply them as directed by truſtees.

XVIII. And be it further enacted and ordained by the authority aforeſaid, That all and every ſum and ſums of money which ſhall be paid, or agreed to be paid by the leſſee or leſſees, grantee or grantees, of all or any of the ſaid lots of land in the ſaid town ſo to be laid out, leaſed, and granted, ſhall, in the firſt place, be deemed as a fund whereout to pay the coſts of the materials for, and the expences of, building the ſaid court-houſe; and, in the next place, to pay and ſatisfy the proprietors or owners of the land ſo allotted for the ſaid town; and, in the next place, in payment and ſatisfaction for ſuch lands as may be neceſſary to be purchaſed for the purpoſe of conveying or bringing the freſh water to the ſaid town, and paying and ſatisfying for any injury, loſs, or damage, that may be occaſioned, ſuffered, and ſuſtained, thereby; and, in the third [*fourth*] place, for and towards the expences of making the ſaid canal or baſon for conveying the ſea water to the ſaid town, and repairing of the ſame when neceſſary.

Application of the monies to be paid by the leſſees and grantees of lots;

XIX. And be it further enacted and ordained by the authority aforeſaid, That where any lot or lots of the ſaid town land ſhall be leaſed for any number of years upon the terms of building thereon, and a ground-rent ſhall be reſerved to the ſaid truſtees in ſuch leaſe or leaſes, all and every ſuch ſum and ſums of money as ſhall be annually received for and on account of ſuch ground rent or rents, ſhall, or ſo much thereof as ſhall be neceſſary for that purpoſe, be paid and applied towards rebuilding, amending, ſuſtaining, and keeping in repair, the ſaid ſeveral works ſo intended to be made, built, and cut, for the purpoſe of conveying the ſaid freſh and ſea water to the ſaid town, as aforeſaid.

and of monies arising from ground-rents.

XX. And, for the better ſecurity and preſervation of the lives and health of his majeſty's ſubjects, inhabitants of the ſaid town, and other perſons reſorting

No person to inoculate in the town, or within a mile of its limits, without a license from the trustees,

under penalty of 500*l.*

ſorting thereto, be it further enacted by the authority aforeſaid, That, from and after three calendar months next after the paſſing of this act, no phyſician, ſurgeon, apothecary, or other perſon whatſoever, ſhall, by any ways or means, inoculate or cauſe to be inoculated for the ſmall-pox, meaſles, or any other contagious or infectious diſeaſe or diſtemper, within the ſaid town, or the known limits thereof, or within one mile thereof, without a licenſe in writing firſt had and obtained from the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, authorizing and empowering him ſo to do, under the penalty of five hundred pounds.

Trustees to meet, and to adjourn from time to time.

XXI. And be it further enacted by the authority aforeſaid, That the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, ſhall meet on the third Tueſday in January next enſuing the paſſing of this act, and they ſhall have power, and hereby have power, to adjourn from time to time, and as often as they ſee occaſion; and any three or more of them ſhall be a ſufficient *quorum* to adjourn, but not to do buſineſs.

Penalties how to be applied, and how recovered.

XXII. And be it further enacted by the authority aforeſaid, That all penalties, to be recovered or levied by virtue of this act, ſhall be paid and applied for and towards defraying the charges and expences of ſuch of the purpoſes of this act as the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, ſhall think proper, and ſhall be recovered in manner following; that is to ſay, All penalties and forfeitures, above the ſum of twenty pounds, ſhall be recovered, by action of debt, in the ſupreme court of judicature of this iſland, the iſſue whereof ſhall be tried in the county of Cornwall, and not elſewhere, and wherein no eſſoin, protection, wager of law, or injunction, ſhall be allowed or granted; and all penalties and forfeitures, of the ſum of twenty pounds and above forty ſhillings, ſhall be recovered, by action of debt, in the petty court of the ſaid pariſh; and all penalties and forfeitures, of forty ſhillings and under, ſhall be recovered, by warrant under hand and ſeal of any one of his majeſty's juſtices of the peace of the ſaid pariſh, in the ſame manner as all warrants of forty ſhillings are already, and heretofore have been, uſually levied.

Churchwardens to be treasurers; to iſſue monies as they do the parish-tax;

and be accountable to the trustees.

XXIII. And be it further enacted by the authority aforeſaid, That the churchwardens of the ſaid pariſh for the time being, or either of them, ſhall, and are hereby appointed and declared to, be treaſurers to the ſaid truſtees; and ſhall pay and iſſue all ſuch monies as they ſhall receive, under the order and direction of the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, in like manner as they pay and iſſue the pariſh-tax; and that they ſhall render a juſt and true account of all monies ſo received, iſſued, or diſpoſed of, as often as the ſaid truſtees, or any ſeven or more of them, two of whom at leaſt to be magiſtrates, ſhall appoint, and ſubject to the ſame penalties and ſame mode of diſtreſs as they now are, or hereafter ſhall be, liable [*to*] for the pariſh-tax.

XXIV. And

XXIV. And be it further enacted by the authority aforeſaid, That if any action or ſuit ſhall be brought or commenced againſt any perſon or perſons for any matter or thing to be done in purſuance of this act, then, and in ſuch caſe, the action or ſuit ſhall be brought or commenced within twelve months next after the fact committed, and not afterwards, and ſhall be laid in the county of Cornwall, and not elſewhere; and the defendant or defendants, in ſuch action or ſuit to be brought, ſhall and may plead the general iſſue, and give this act and the ſpecial matter in evidence at any trial to be had thereupon; and [*if*] the plaintiff or plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their action or actions, ſuit or ſuits, or if, upon demurrer, judgment ſhall be given againſt the plaintiff or plaintiffs, the defendant or defendants ſhall and may have and recover treble coſts, and have ſuch remedy for the ſame as any defendant or defendants hath or have in any other caſes by law.

Limitation of actions.

General iſſue.

Treble coſts.

XXV. And be it further enacted by the authority aforeſaid, That this act ſhall be deemed, adjudged, and taken, to be a public act, and be judicially taken notice of as ſuch by all judges, juſtices, and other perſons whatſoever, without ſpecially pleading the ſame.

Public act.

XXVI. And be it further enacted by the authority aforeſaid, That, for promoting the more ſpeedy building of the court-houſe in this act mentioned, and towards defraying the charges and expences incident thereto, it ſhall and may be lawful to and for the juſtices and veſtry of the ſaid pariſh of Weſtmorland for the time being, and they are hereby authorized and empowered, by an equal tax on the freeholders and inhabitants of the ſaid pariſh, to raiſe and levy any ſum or ſums of money, not exceeding two thouſand pounds in the whole, to be applied towards building of the ſaid court-houſe.

Juſtices and veſtry empowered to raiſe and levy 2000*l.* for building the court-houſe.

CAP. XII.

An act for transcribing the toll-book and register of the pariſh of Hanover; and for making the same, when ſo transcribed, legal evidence in all courts in this iſland.

[16th December, 1780.]

WHEREAS the toll-book for the regiſtering of the ſales of ſlaves in the pariſh of Hanover, in this iſland, and alſo the book wherein the rights of voting of the ſeveral freeholders for members to be returned to ſerve in aſſemblies in this iſland, for the ſaid pariſh, were entered, have been, in the late dreadful ſtorm, ſo much hurt as in a very ſhort time they will become uſeleſs, if the ſame be not tranſcribed: May it therefore pleaſe your moſt excellent majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, That it ſhall and may be lawful to and for the juſtices and veſtry of the ſaid pariſh of Hanover, and they

Preamble.

Toll and regiſter books of

Hanover to be transcribed;

they are hereby authorized and required, forthwith to cauſe the ſaid books to be fairly tranſcribed into new books, to be provided by the ſaid pariſh for that purpoſe.

and tranſcripts to be deemed authentic records,

when clerk of the peace has attested the copies being exact.

His affidavit to be entered in each new book.

II. And be it further enacted by the authority aforeſaid, That the ſaid tranſcripts, when ſo made, ſhall be deemed, and are hereby declared to be, valid, legal, and effectual records, to all intents and purpoſes whatſoever, as the original records themſelves were before the making this act: Provided nevertheleſs, That, before the ſaid tranſcripts or copies ſhall be as valid, legal, and effectual records, as aforeſaid, the clerk of the peace ſhall make affidavit, before the cuſtos of the ſaid pariſh for the time being (which affidavit ſuch cuſtos is hereby empowered to take), that the ſaid ſeveral tranſcripts have carefully been examined by him, and are true and exact copies of their ſeveral records; and the ſaid tranſcripts ſhall alſo be counterſigned by the cuſtos of the ſaid pariſh: Which affidavit, hereby directed to be made by the clerk of the peace, he is hereby required to enter in each particular book of tranſcripts or copies, within four weeks from and immediately after the making ſuch tranſcripts or copies, under the penalty of one hundred pounds, current money of Jamaica.

CAP. XIII.

An act to repeal part of a clauſe of an act entitled, "An act to veſt certain parcels of land, ſituate, lying, and being, in the pariſh of St. Catherine, in the juſtices, veſtrymen, and churchwarden or churchwardens, of the ſaid pariſh [and the juſtices, veſtrymen, and churchwarden or churchwardens, of the ſaid pariſh] *for the time being, for the uſe of the inhabitants of the ſaid pariſh;* [and to enable the preſent juſtices, veſtrymen, and churchwarden or churchwardens, of the ſaid pariſh, or the juſtices, veſtrymen, and churchwarden or churchwardens for the time being, to maintain or defend any ſuit or ſuits at law or in equity for recovery of the ſame, or any part or parcel thereof, and to make leaſes of part of the ſaid lands, for the uſe of the ſaid pariſh;]" *and for rendering the ſaid act more effectual.*

[16th December, 1780.]

Preamble.

6 Geo. III. cap. 4.

WHEREAS, in and by a certain act of the lieutenant-governor, council, and aſſembly of this iſland, entitled, *An act to veſt certain parcels of land, ſituate, lying, and being, in the pariſh of St. Catherine, in the juſtices, veſtrymen, and churchwarden or church-*

churchwardens, of the ſaid pariſh, and the juſtices, veſtrymen, and churchwarden or churchwardens, [of the ſaid pariſh] *for the time being, for the uſe of the inhabitants of the ſaid pariſh; and to enable the preſent juſtices, veſtrymen, and churchwarden or churchwardens, of the ſaid pariſh, or the juſtices, veſtrymen, and churchwarden or churchwardens for the time being, to maintain or defend any ſuit or ſuits at law or in equity for recovery of the ſame, or any part or parcel thereof, and to make leaſes of part of the ſaid lands, for the uſe of the ſaid pariſh,* paſſed in the year of our Lord one thouſand ſeven hundred and ſixty-ſix, it is, among other things, enacted, That the cuſtos of the pariſh and precinct of St. Catherine for the time being, and ſuch juſtices of the ſaid pariſh and precinct as are freeholders of the ſaid pariſh of St. Catherine (and not otherwiſe), and the veſtrymen and churchwardens for the time being, and their ſucceſſors, ſhould, and they were thereby declared to, be a body incorporate, for the purpoſes therein mentioned, and no further: And they, and the ſucceſſors of the cuſtos and juſtices who ſhould be freeholders of the ſaid pariſh, and the ſucceſſors of the ſaid veſtrymen and churchwardens, or the majority of them preſent, ſhould, from and after the paſſing the ſaid act, when duly ſummoned and met in veſtry, and not otherwiſe, have full power and lawful authority, from time to time, to demiſe, leaſe, and to farm let, any part of the ſaid pariſh lands (except five hundred acres, particularly in the ſaid law mentioned), for any term not exceeding ninety-nine years, at an annual rent, not leſs than five ſhillings *per* acre, for all ſuch lots of the ſaid land as ſhould be leaſed by the acre, each lot whereof not to contain leſs than five acres; and for all ſuch lots of the ſaid land as ſhould be leaſed by the foot, at an annual rent not leſs than ſix pence *per* foot, to be computed in the manner as foot-lands are chargeable for quit-rents: And whereas it hath been found that, the annual rent of the ſaid acre-land being reſtricted to five ſhillings *per* acre, the relief intended to be given by that part of the ſaid act is rendered uſeleſs and ineffectual: Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That ſo much of the ſaid clauſe of the ſaid herein before-recited act as relates to the annual rents of the acre-lands be, and the ſame is hereby, repealed, annulled, and made void, to all intents and purpoſes whatſoever: And that, from and after the paſſing of this act, all ſuch lots of the ſaid acre-land as ſhall be ſo leaſed by the acre, ſhall be leaſed at ſuch annual rents, and for ſuch term and time, as the juſtices, veſtrymen, and churchwardens, of the ſaid pariſh of St. Catherine for the time being, in their diſcretion, ſhall think fit and proper, and moſt beneficial to the ſaid pariſh; the ſaid in part recited act to the contrary in anywiſe notwithſtanding.

Recital of *part of clauſe 1 of the above act.*

Repeal of that part fixing rent of acre-lands;

which are to be leased for such rents and periods as justices, &c. think fit.

CAP. XIV.

An act for explaining and amending the ſeveral highway laws now in force, and rendering the ſaid laws more effectual.—[30th December, 1780.]

EXPIRED.

CAP. XV.

An act to repeal two several acts, the one, "An act to secure the freedom of elections, and directing the proceedings in the choice of members to serve in assemblies in this island; to qualify persons elected to serve in future assemblies in this island; and to ascertain who shall be deemed mulattoes for the future," and the other, "An act for explaining, amending, and rendering more effectual, [an act entitled,] *'An act to secure the freedom of elections, and directing the proceedings in the choice of members to serve in assemblies in this island; to qualify persons elected to serve in future assemblies in this island; and to ascertain who shall be deemed mulattoes for the future;' and for preventing the fraudulent practice of multiplying votes at the elections of members to serve in the assembly of this island;" and to secure the freedom of elections, and directing the proceedings in the choice of members to serve in assemblies in this island; to qualify persons elected to serve in future assemblies in this island; and to ascertain who shall be deemed mulattoes for the future; and to prevent the fraudulent practice of multiplying votes at the elections of members to serve in assembly of this island.*—[30th December, 1780.]

Preamble.

WHEREAS it hath been found, by experience, that the two several acts of this island, the one entitled, "*An act to secure the freedom of elections, and directing the proceedings in the choice of members to serve in assemblies in this island; to qualify persons elected to serve in future assemblies in this island; and to ascertain who shall be deemed mulattoes for the future,* the other entitled, *An act for explaining, amending, and rendering more effectual,* [an act entitled,] "*An act to secure the freedom of elections, and directing the proceedings in the choice of members to serve in assemblies in this island; to qualify persons elected to serve in future assemblies in this island; and to ascertain who shall be deemed mulattoes for the future;*" *and for preventing the fraudulent practice of multiplying votes at the elections of members to serve in the assembly of this island,* have not been sufficient to answer the purposes for which they were intended, to prevent indirect practices at the elections of representatives to

serve

ſerve in the aſſemblies of this iſland, and for ſecuring the freedom of ſuch elections; many abuſes and indirect practices ſtill continuing to be made uſe of to return members to ſerve in aſſembly: In order, therefore, to remedy all ſuch evils, and that in future the members returned to ſerve in the aſſemblies of this iſland may be elected and choſen by the real and fair freeholders, duly qualified to vote at ſuch elections, and that the perſon or perſons, ſo returned to ſit in the ſaid aſſemblies, may be duly qualified for that purpoſe: May it pleaſe your moſt excellent majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That the herein before-mentioned two ſeveral acts, the firſt paſſed the twenty-fifth day of April, in the year of our Lord one thouſand ſeven hundred and thirty-three, the other paſſed the thirtieth day of October, in the year of our Lord one thouſand ſeven hundred and fifty-ſix, and every matter, clauſe, and thing, in the ſaid ſeveral acts contained, ſhall, from and after the paſſing hereof, be repealed and made void; and the ſaid ſeveral acts, and every matter, clauſe, and thing, in them and each of them contained, are hereby repealed, and made null and void, to all intents and purpoſes; any thing in the ſaid acts, or either of them, to the contrary in anywiſe notwithſtanding.

Repeal of the two recited acts.

II. And, in order to render all proceedings at the elections of repreſentatives, to be returned to ſerve in aſſemblies of this iſland, fair and juſt, and to prevent doubts from ariſing, touching the rights of perſons to vote at future elections for members to ſerve in future aſſemblies of this iſland, and to declare who ſhall be duly qualified to vote at ſuch elections, and what ſhall be the qualification of perſons returned to ſit in ſuch aſſemblies, be it further enacted by the authority aforeſaid, That, when any aſſembly ſhall be hereafter ſummoned and called, there ſhall be forty days between the teſte and return of the writs of ſummons; and that the provoſt-marſhal, or his lawful deputy or deputies for the time being, with as much ſpeed as may be convenient, ſhall tranſmit warrants to the *cuſtos rotulorum*, and, in his abſence, to ſome juſtice of the peace reſiding in ſuch pariſh, directed to the conſtables, to warn the reſpective freeholders inhabiting in ſuch pariſh to appear at the election of repreſentatives; and that the *cuſtos rotulorum*, or juſtice receiving and ſigning ſuch warrants as aforeſaid, ſhall cauſe them to be delivered to the ſaid conſtables, ſo that they may be enabled to give each of the ſaid freeholders five days notice, at the leaſt, of the time and place of the election for ſuch pariſh.

Forty days between teſte and return.

Provoſt-marſhal to ſend warrants, without delay, to a magiſtrate;

who is to ſign and ſend them to conſtables, that freeholders may have five days notice.

III. And foraſmuch as many inconveniencies have been found, by electing members for two or more pariſhes upon one and the ſame day: For the remedying thereof, Be it further enacted by the authority aforeſaid, That, hereafter, a ſeparate day ſhall be appointed, in every of the ſaid writs of ſummons, for the election of members in each pariſh of this iſland, and that

No two pariſhes to be elected for in one day.

Day of election must not be altered.

that no two or more pariſhes ſhall elect upon one and the ſame day: And, in caſe any of the ſaid writs of ſummons ſhall not be executed upon the day thereby appointed, no new or other writ or writs ſhall iſſue for electing any member or members to ſerve for ſuch pariſh, until after the meeting of ſuch aſſembly.

Hours for polling.

No adjournment to take place.

IV. And, in regard of the great diſtance of the reſidence of many of the freeholders from the uſual places of election in the ſeveral pariſhes of this iſland, and that none of them, if able and willing, be prevented from giving their voices for election of repreſentatives, be it enacted by the authority aforeſaid, That the poll of each pariſh ſhall be kept open until ſix of the clock in the afternoon of the day of ſuch election, and no longer, if the candidates deſire the ſame; but that no adjournment ſhall intervene, upon any pretence whatſoever, till the poll is cloſed; which ſhall begin between the hours of eight and nine in the morning.

Penalties on cuſtos, &c. neglecting their duty.

V. And be it further enacted by the authority aforeſaid, That if any *cuſtos rotulorum*, juſtice of the peace, or provoſt-marſhal, or any of his deputies; concerned in the execution of the ſaid writ of ſummons, or other the matters aforeſaid, ſhall neglect to do his or their duty in the premiſes, then every ſuch *cuſtos rotulorum*, juſtice of the peace, provoſt marſhal, or his deputy, ſo neglecting his duty, ſhall, for every offence, forfeit the ſum of two hundred pounds, current money of this iſland; and every conſtable or other perſon or perſons, ſo neglecting his or their duty in the premiſes, ſhall forfeit the ſum of twenty pounds, current money aforeſaid: One half of which ſaid forfeitures ſhall be to the uſe of his majeſty, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof, and the other moiety to the party aggrieved; to be recovered, in the ſupreme court of judicature of this iſland, by action of debt, bill, plaint, or information, wherein no eſſoin, protection, wager of law, privilege, or imparlance, ſhall be allowed; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Application and recovery thereof.

No muster to be called on day of election,

nor party ſent out till it is over,

unleſs actual danger,

under penalty of 100*l.*

VI. And whereas ſeveral indirect practices have been made uſe of to prevent ſeveral perſons giving their votes, either by keeping them in arms on the day of the election, or ſending the freeholders out on parties: Be it further enacted by the authority aforeſaid, That no regiment, or any company, or troop, of any pariſh or precinct where any election is to be, ſhall be in arms on the day of ſuch election; and that, immediately after notice of any aſſembly ſo to be convened as aforeſaid, no perſon that is a freeholder ſhall be ſent or forced out on any party till ſuch election ſhall be over, except in caſe of an invaſion, actual inſurrection, or rebellion (any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding), under the penalty of one hundred pounds, current money of this iſland; to be recovered, in any court of record in this iſland, againſt any perſon offending

ing contrary to the true intent and meaning of this act; one half whereof ſhall be to the uſe of his majeſty, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof, the other moiety to the informer, or him or them who ſhall ſue for the ſame, wherein no eſſoin, protection, or wager of law, ſhall be allowed, or *non vult ulterius proſequi* entered; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Qualifications of voters.

VII. And be it further enacted by the authority aforeſaid, That no perſon whatſoever ſhall be admitted to vote at any election for any perſon to ſerve in the aſſemblies of this iſland, unleſs his freehold conſiſts of a houſe erected and built, and in the actual poſſeſſion of ſuch freeholder, by title recorded in the office of enrolments of this iſland for twelve calendar months next before the day of ſuch election, of the true and real value of ten pounds *per annum*; or a pen, conſiſting of at leaſt ten acres of land, which hath a houſe thereon erected and built, and which ſaid pen hath been open and in paſturage, and in the actual poſſeſſion of ſuch freeholder, by title recorded in the office of enrolments of this iſland for twelve calendar months next before ſuch election, yielding him really and *bonâ fide* the true value of ten pounds *per annum*; or a plantation, with at leaſt eight acres of land planted, with buildings thereon erected and built, in the actual poſſeſſion of ſuch freeholder, by title recorded in the office of enrolments for twelve calendar months next before ſuch election, planted and kept up as a plantation for the ſaid term, and yielding him really and *bonâ fide*, without fraud or colluſion, the true value of ten pounds *per annum*, with negro or other ſlaves thereon of his or their own property, that have been, and are liable to be, taxed for the term aforeſaid; or that his freehold conſiſts of a rent-charge, or annual ſum, of the real and true value of fifty pounds *per annum*, ariſing, iſſuing, and payable, out of the meſſuages, lands, or tenements, on which ſaid meſſuages, lands, or tenements, there have been, and are, negroes or ſtock liable to be taxed for twelve calendar months before the election; and that every ſuch freehold ſhall have been entered in a book, provided or to be provided by the clerk of the veſtry of every ſuch pariſh in this iſland where ſuch freeholder ſhall give his vote, for the ſpace of three calendar months next before the election, in the name of every ſuch freeholder, or in the name of them under whom, by deſcent, deviſe, or marriage, ſuch freehold is claimed, and hath been ſubject and liable to be taxed by the juſtices and veſtrymen of ſuch pariſh for twelve calendar months at the leaſt; any law, cuſtom, or uſage, to the contrary notwithſtanding; except where ſuch freeholder votes on a rent-charge or annual ſum, as aforeſaid, then, and in ſuch caſe, it ſhall be ſufficient that the meſſuage, lands, or tenements, out of which the rent-charge or annual ſum ariſes, have paid, or were liable to pay, taxes for twelve calendar months, as aforeſaid.

VIII. Pro-

Freeholders by devise, descent, or marriage, may vote, if freeholds recorded, &c.

VIII. Provided nevertheless, and it is hereby declared to be the true intent and meaning of this act, That no person claiming by devise, descent, or marriage, shall be abridged from his or their right of voting, in case the person or persons under whom he or they claim shall have been in the actual possession of such respective freehold twelve calendar months, as aforesaid, and that the title to such respective freeholds hath been recorded in the secretary's office of this island for the term of twelve calendar months, and also, that it hath been entered in the vestry-book three calendar months next preceding the day of electing members to serve as representatives in the assembly for such parish.

Voters, if required, must attest their freehold.

IX. And be it further enacted by the authority aforesaid, That, upon any election for any member to serve in the assembly of this island, every freeholder, if required by a candidate, or any other person having a right to vote at such election, before he is admitted to poll, shall declare the nature of his freehold on which he is to vote, and take the following oath:

The oath.

I, *A. B. do swear, that I am a freeholder in my own or my wife's right, really and truly, in the parish of by title recorded in the secretary's office of this island twelve calendar months before this election; and that my said freehold consists of an house erected and built; or of a pen consisting of at least ten acres of land, which hath a house thereon erected and built, and which said pen hath been opened and in pasturage for the time aforesaid; or a plantation, of at least eight acres of land planted, with buildings thereon erected and built, with negro or other slaves thereon, my own or my wife's absolute property, which hath been kept up as a plantation for the time aforesaid; and that my said freehold hath been in my own or my tenants actual possession, or in the possession of those under whom, by descent, devise, or marriage, I claim, for twelve calendar months next before this election, of the true and real value of ten pounds* per annum; *and that my said freehold hath been entered in the parish-books in my own name, or in the name of those under whom, by descent, devise, or marriage, I claim, three calendar months before this election; and the whole thereof hath been, and is, subject and liable to be taxed and assessed by the justices and vestrymen of this parish for twelve calendar months, as aforesaid; and that, without fraud or collusion, for* [I, or] *those under whom, by descent, devise, or marriage, I claim, have been in the actual receipt of the rents and profits of the said freehold, to the amount of ten pounds* per annum *at the least, for the said term of twelve calendar months next before this election; and that my said freehold hath not been made or prepared, given or granted to me, fraudulently, or on purpose to qualify me to vote at elections, or in order to split or multiply votes at elections; and that I have not before been polled at this election. So help me God:*

Rent-charge must be attested.

And if the freeholder declares his right of voting to be upon a rent-charge, or annual sum, arising as aforesaid, he shall then take the following oath:

I, *A. B.*

I, *A. B. do ſwear, that I am a freeholder in my own or my wife's right, really and truly, in the pariſh of by title recorded in the ſecretary's office of this iſland twelve calendar months before this election; and that my ſaid freehold conſiſts of a rent-charge, or annual ſum, of the real and true value of fifty pounds* per annum, *ariſing, iſſuing, and payable, out of meſſuages, lands, or tenements, now in the poſſeſſion of or his or their under-tenants; and that they* [there] *now are, and have been, on the ſaid meſſuages, lands, or tenements, out of which my ſaid rent-charge or annual ſum ariſes, negroes or ſtock which are, or have been, ſubject and liable to be taxed and aſſeſſed for twelve calendar months next before this election; and that my ſaid freehold hath been entered in the pariſh-book in my own name three calendar months before this election; and that, without fraud or colluſion, I have been in the actual receipt of the rents and profits of the ſaid freehold, to the amount of fifty pounds* per annum *at the leaſt, for the ſaid term of twelve calendar months next before this election; and that my ſaid freehold hath not been given or granted to me fraudulently, or on purpoſe to qualify me to vote at elections, or in order to ſplit or multiply votes at this election; and that I have not been polled before at this election. So help me God;* The oath.

which oaths the provoſt-marſhal-general, or his lawful deputy, is hereby empowered and required to adminiſter: And in caſe any perſon, taking either of the ſaid oaths hereby appointed, ſhall thereby commit wilful and corrupt perjury, and ſhall be thereof convicted, he and they, for every ſuch offence, ſhall incur the like pains and penalties as are, in and by the acts of parliament of that part of Great-Britain called England, enacted againſt all ſuch who ſhall commit wilful perjury, or ſuborn or procure any perſon to commit any unlawful or corrupt perjury: Provided always, That if any freeholder be a profeſſed quaker, his affirmation, inſtead of the ſaid oath, ſhall be received; ſuch quaker having firſt likewiſe taken the affirmation appointed by an act of parliament made in the firſt year of the reign of his late majeſty king George the firſt, entitled, "An act for making perpetual "an act of the ſeventh and eighth years of his late majeſty king William "the third, entitled, 'An act that the ſolemn affirmation and declaration "of the people called quakers ſhall be accepted inſtead of an oath, in the "uſual form;' and for explaining and enforcing the ſaid act, in relation "to the payment of tythes and church rates; and for appointing the form "of an affirmation to be taken by the ſaid people called quakers, inſtead of "the oath of abjuration." Punishment for swearing falsely. Quakers may affirm, having complied with stat. 1 Geo. I.

X. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall hereafter preſume to adminiſter either of the ſaid oaths or affirmation, or to open or take any poll for electing members to ſerve in the aſſembly of this iſland, [*other*] than the provoſt-marſhal, or ſome perſon lawfully deputed by him to act for him, ſuch perſon, for every If any person administer oaths, or take polls, but provost-marshal, or his deputy, they

are to forfeit 500*l.* and be imprisoned a year.

ſuch offence, ſhall ſuffer one year's impriſonment, and forfeit five hundred pounds; one moiety of which to our ſovereign lord the king, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the other moiety to him or them who ſhall ſue for the ſame; to be recovered, in the ſupreme court of judicature of this iſland, by action of debt, bill, plaint, or information, wherein no eſſoin, wager of law, injunction, or *non vult ulterius proſequi*, ſhall be granted or allowed; any law, cuſtom, or uſage, to the contrary notwithſtanding.

Incumbents may vote without taking oath.

XI. And be it further enacted by the authority aforeſaid, That the rectors of the ſeveral pariſhes of this iſland ſhall be allowed to vote, in the reſpective pariſhes in which their benefices are, at all elections of members to ſerve in the aſſembly, without taking any oath; any thing in this or any other law to the contrary in anywiſe notwithſtanding.

Returning officer not to vote till he declares his freehold, and takes the oath, if required; which a juſtice or candidate may adminiſter. Puniſhment if he ſwears falſely.

XII. And be it further enacted by the authority aforeſaid, That the provoſt-marſhal, or any of his lawful deputies, taking the poll at any election for a member or members to ſerve in the aſſembly of this iſland, ſhall not vote at ſuch election until he hath declared the nature of his freehold on which he ſhall then offer to vote, and ſhall, if required, take the oath appointed by this act for ſuch freehold; which ſaid oath any juſtice of the peace preſent at the poll, or any one of the candidates at ſuch elections, are hereby empowered to adminiſter: And if the provoſt-marſhal, or any of his deputies taking ſuch oath, ſhall ſwear falſely, and be thereof legally convicted, he ſhall incur the like pains and penalties as are declared in and by the ſaid act of parliament made in the fifth year of the reign of the late queen Elizabeth.

In lists of polls, freeholds to be particularized, and how voters have sworn.

Where poll to be taken.

If election contested, list to be sworn to, and sent to secretary's office, within a month, to be recorded and made public,

under penalty of 500*l.* and imprisonment.

XIII. And be it further enacted by the authority aforeſaid, That the marſhal attending the reſpective polls ſhall, in a column to be made for that purpoſe, inſert the particular kind of freehold on which each perſon votes, and ſhall write *jurat* oppoſite to the name of every voter who have taken either of the ſaid reſpective oaths, ſo that it may appear which of the ſaid oaths he took: And that the poll for every pariſh ſhall be always held at the uſual place of meeting on the public and parochial buſineſs of each reſpective pariſh, and not elſewhere: And wherever there ſhall be a controverted election, the perſon taking the poll ſhall, within one month after ſuch election, tranſmit the ſame to the ſecretary's office, there to be recorded and open to the inſpection of all perſons requiring the ſame; and the perſon ſo taking the poll ſhall, and he is hereby obliged, before he lodges the ſame in the ſaid office, to make affidavit before a juſtice of the peace, to be inſerted under or on the back of the ſaid poll, that ſuch poll is, really and *bonâ fide*, the true and genuine poll taken at ſuch election, without any alteration whatſoever, under the penalty of one year's impriſonment, and the penalty of five hundred pounds, upon each perſon offending therein; to be recovered and applied as aforeſaid.

XIV. And

XIV. And be it further enacted by the authority aforeſaid, That, immediately after the paſſing of this act, the clerk of the veſtry of the ſeveral pariſhes in this iſland ſhall be, and they are hereby, required and obliged to prepare and keep a book, and to enter therein a juſt and true account of every freehold in their reſpective pariſhes, which ſhall be hereafter ſent to each of the ſaid clerks, within three days after ſuch accounts have been received by them; and the clerk of the veſtry ſhall give a certificate, to any freeholder delivering in an account of his freehold, that ſuch freehold is entered in the veſtry-book; for which certificate and entry the clerk ſhall receive two ſhillings and ſix pence from the freeholder delivering in the ſame: And every ſuch clerk is hereby further obliged to produce the ſaid book at the opening of every ſuch poll for electing a member to ſerve in the aſſembly of this iſland, for each of their reſpective pariſhes; for doing which he ſhall be allowed and paid two pounds ſeven ſhillings and nine pence [*ſix pence*] by the juſtices and veſtry of the pariſhes where ſuch elections are, out of the monies raiſed by ſuch pariſhes: And any perſon, being a freeholder of that pariſh, ſhall have liberty to inſpect the ſaid book ſo often as, and whenever, he ſhall require, on paying one ſhilling and three pence for every ſuch inſpection; and the reſpective clerks are hereby required and obliged to produce the ſaid book whenever called upon by ſuch freeholder, without any premium or reward for ſo doing, more than as aforeſaid: And if any clerk of the veſtry, of the ſeveral pariſhes in this iſland, ſhall neglect to keep a book for entering freeholds, in the manner aforeſaid, or ſhall neglect to produce ſuch book at the opening of every poll for electing a member in the aſſembly of this iſland, or ſhall receive and take any premium or reward for permitting any freeholder to inſpect the ſaid book, otherwiſe than as aforeſaid, ſuch clerk ſo offending ſhall forfeit the ſum of five hundred pounds; to be recovered and diſpoſed of as before directed: And if any clerk of the veſtry ſhall hereafter omit to enter ſuch freehold in the pariſh-book, after having received the fee aforeſaid, and granted ſuch certificate, he ſhall forfeit the ſum of fifty pounds.

Freeholds to be entered in register book by clerk of veſtry, in three days after he receives account of them.

He is to give certificates to freeholders, on receiving 2*s.* 6*d.*

and produce ſuch book at opening the poll, being paid 2*l.* 7*s.* 6*d.*

Book to be inſpected at all times, paying 1*s.* 3*d.*

Penalties on clerk of veſtry for any neglect.

XV. And be it further enacted by the authority aforeſaid, That all eſtates and conveyances whatſoever, made to any perſon or perſons in any fraudulent or colluſive manner, on purpoſe to qualify him or them to give his or their vote or votes at any election of a member to ſerve in the aſſembly of this iſland, ſubject nevertheleſs to conditions or agreements to defeat or determine ſuch eſtates, or to re-convey the ſame, ſhall be deemed and taken, againſt thoſe perſons who executed the ſame, as free and abſolute, and be holden and enjoyed by all and every ſuch perſon or perſons to whom ſuch conveyance ſhall be made, as aforeſaid, freely and abſolutely acquitted, exonerated, and diſcharged, of and from all manner of truſts, conditions, clauſes of re-entries, powers of revocation, proviſoes of redemption, or other defeazances whatſoever, between or with the ſaid parties, or any other perſon or perſons in truſt for them; and that all bonds, covenants,

Conveyances made to qualify voters to be abſolute, and donee to enjoy the property.

Notwithstanding any agreement for re-conveyance.

collateral and other ſecurities, contracts, or agreements, between or with the ſaid parties, or any of them, for the redeeming, revoking, or defeating ſuch eſtate or eſtates, or for reſtoring or re-conveying thereof, or any part thereof, to any perſon or perſons who made or executed ſuch conveyance, or to any other perſon or perſons in truſt for them, or any of them, ſhall be null and void, to all intents and purpoſes whatſoever: And that every perſon who ſhall make and execute ſuch conveyance or conveyances aforeſaid, or, being privy to ſuch purpoſe, ſhall deviſe or prepare the ſame, and every perſon who, by colour thereof, ſhall give any vote at any election of any member to ſerve in the aſſembly of this iſland, ſhall, for every ſuch conveyance made, or vote ſo created or given, forfeit the ſum of five hundred pounds, to any perſon who ſhall ſue for the ſame; to be recovered, together with full coſts of ſuit, by action of debt, bill, plaint, or information, in the ſupreme court of judicature of this iſland, wherein no eſſoin, privilege, wager of law, or *non vult ulterius proſequi*, ſhall be allowed.

Perſons making ſuch conveyances, preparing them, or voting in right of them, to forfeit 500*l.*

If truſtees or mortgagees have been in poſſeſſion twelve months they may vote; otherwiſe, mortgagers.

XVI. And be it further enacted by the authority aforeſaid, That no perſon or perſons ſhall have any right to vote in the election of members to ſerve in the aſſembly of this iſland, for or by reaſon of any truſt-eſtate or mortgage, unleſs ſuch truſtees or mortgagees ſhall have been in the actual poſſeſſion of the rents, iſſues, and profits, of ſuch eſtate for the ſpace of twelve calendar months before the ſaid elections; but the mortgager, or *ceſtui qui* truſt in poſſeſſion, ſhall and may vote upon the ſaid eſtate, notwithſtanding ſuch mortgage or truſt.

Minors muſt not vote.

If age doubted, it muſt be atteſted.

XVII. And be it further enacted by the authority aforeſaid, That no perſon under the age of twenty-one years ſhall be admitted to poll at any election for members to ſerve in the aſſembly of this iſland; and if a candidate, or any perſon having a right to vote at the ſaid election, ſhall require it, the perſon or perſons ſuſpected not to be of the age of twenty-one years ſhall be obliged to take the following oath:

The oath;

I, *A. B. do ſwear, that, to the beſt of my knowledge and belief, I am of the age of twenty-one years. So help me God;*

which marſhal muſt adminiſter, under penalty.

which oath the provoſt-marſhal, or his lawful deputy, is hereby empowered and required to adminiſter, under the penalty of five hundred pounds; to be recovered and diſpoſed of as aforeſaid.

If marſhal refuſes good votes, or accepts bad ones, he is to be imprisoned twelve months, and fined 500*l.*

XVIII. And be it further enacted by the authority aforeſaid, That the provoſt-marſhal of this iſland, or his lawful deputy, as aforeſaid, refuſing to admit any perſon to vote whoſe freehold is entered in the veſtry book, as aforeſaid, or permitting any perſon to vote whoſe freehold is not entered in the veſtry-book, as aforeſaid, according to the true intent and meaning of this act, to poll at any election for a member or members to ſerve in the aſſembly of this iſland, the ſaid provoſt-marſhal, or his lawful deputy, ſo offending,

offending, ſhall, for every ſuch offence, ſuffer twelve months impriſonment, and forfeit the ſum of five hundred pounds; one moiety of which to our ſovereign lord the king, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof, and the other moiety to him or them who ſhall ſue for the ſame; to be recovered, in the ſupreme court of judicature of this iſland, by action of debt, bill, plaint, or information, wherein no eſſoin, wager of law, or injunction, or *non vult ulterius proſequi*, ſhall be granted or allowed; any law, cuſtom, or uſage to the contrary notwithſtanding.

How penalty to be recovered and applied.

XIX. And be it further enacted by the authority aforeſaid, That, from and immediately after the paſſing of this act, no perſon, hereafter returned to ſerve as a member in this or any future aſſembly of this iſland, ſhall be capable of ſitting or voting, who ſhall not take the following oath:

No member to ſit or vote till he takes the following

Oath;

I, *A. B. do ſwear, that I truly and* bonâ fide *have an eſtate, in my own or my wife's right, in law or equity, over and above what is ſufficient to pay all my juſt and proper debts, of the value of three hundred pounds* per annum, *in lands, tenements, ſlaves, or other hereditaments; or that I have, in my own or my wife's right, in law or equity, an eſtate of the value of three thouſand pounds in lands, tenements, ſlaves, or other hereditaments, over and above what is ſufficient to pay all my juſt and proper debts. So help me God;*

which oath ſhall be adminiſtered and taken at the time, and in the ſame manner, that the oaths of allegiance and ſupremacy are to be adminiſtered and taken by the ſeveral members; any law, cuſtom or uſage, to the contrary notwithſtanding.

which is to be adminiſtered with the other oaths.

XX. And, for the better aſcertaining who ſhall be deemed mulattoes, within the intent and meaning of this act, be it further enacted by the authority aforeſaid, That no perſon who is not above three degrees removed, in a lineal deſcent, from the negro anceſtor excluſive, except ſuch as are now, under any laws of this iſland, intitled to vote at elections, ſhall be allowed to vote or poll in elections: And no one ſhall be deemed a mulatto after the third generation, as aforeſaid; but that they ſhall have all the privileges and immunities of his majeſty's white ſubjects of this iſland, provided they are brought up in the Chriſtian religion.

No perſon under four removes from the negro, excluſive (unleſs privileged), to vote.
Such perſons to have the ſame rights as white people, if Chriſtians.

CAP. XVI.

An act to enable his excellency John Dalling, eſquire, captain-general, governor, and commander in chief of this iſland, or the governor and commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland for a limited time.—[30th December, 1780.]

EXPIRED.

CAP.

CAP. XVII.

EXPIRED. *An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.*—[30th December, 1780.]

CAP. XVIII.

An act for transcribing the toll-book and register of the parish of Westmorland; and for making the same, when so transcribed, legal evidence in all courts in this island.

[30th December, 1780.]

Preamble. WHEREAS, the toll-book for the regiſtering of the ſales of ſlaves in the pariſh of Weſtmorland in this iſland, and alſo the books wherein the rights of voting of the ſeveral freeholders for members to be returned to ſerve in aſſemblies in this iſland, for the ſaid pariſh, are entered, having been, in the late dreadful ſtorm, ſo much hurt as in a very ſhort time they will become uſeleſs, if the ſame be not tranſcribed: May it therefore please your moſt excellent majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, That it ſhall and may be lawful to and for the juſtices and veſtry of the ſaid pariſh of Weſtmorland, and they are hereby authorized and required, forthwith to cauſe the ſaid books to be fairly tranſcribed into new books to be provided by the ſaid pariſh for that purpoſe.

Toll and register books of Westmorland to be transcribed;

II. And be it further enacted by the authority aforeſaid, That the ſaid tranſcripts, when ſo made, ſhall be deemed, and are hereby declared to be, valid, legal, and effectual records, to all intents and purpoſes whatſoever, as the original records themſelves were before the making of this act: Provided nevertheleſs, That, before the ſaid tranſcripts or copies ſhall be as valid, legal, and effectual records, as aforeſaid, the clerk of the peace ſhall make affidavit, before the cuſtos of the ſaid pariſh for the time being (which affidavit ſuch cuſtos is hereby empowered to take), that the ſaid ſeveral tranſcripts have carefully been examined by him, and are true and exact copies of their ſeveral records; and the ſaid tranſcripts ſhall alſo be counterſigned by the cuſtos of the ſaid pariſh: Which affidavit, hereby directed to be made by the clerk of the peace, he is hereby required to enter in each particular book of tranſcripts or copies, within four weeks from and immediately after making ſuch tranſcripts or copies, under the penalty of one hundred pounds.

and transcripts to be deemed authentic records,

when clerk of the peace has attested the copies being exact.

His affidavit to be entered in each new book.

CAP.

CAP. XIX.

An act for raising ſeveral ſums of money, and applying the ſame to ſeveral uſes.— [30th December, 1780.] EXPIRED.

CAP. XX.

An act for eſtabliſhing public workhouſes in the ſeveral pariſhes of this iſland.— [30th December, 1780.] EXPIRED.

CAP. XXI.

An act for laying a duty on all wines, rum, and other ſpirits and ſtrong waters, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, rum, and other liquors, and on the public offices; and applying the ſame to ſeveral uſes.—[30th December, 1780.] EXPIRED.

CAP. XXII.

An act for repealing all the clauſes, in the ſeveral acts of the legiſlature of this iſland, which impoſe reſtrictions, conditions, penalties, and forfeitures, upon the ſettlers in the pariſh of Portland; and to leave the king's lands, in the ſaid pariſh, open to the ſame mode of being patented as the lands of the other pariſhes in this iſland are patented and ſettled.—[12th January, 1781.]

WHEREAS, in and by divers clauſes in the ſeveral acts of this iſland herein-after mentioned, that is to ſay, one act entitled, *An act to encourage the ſettling the north-eaſt part of this iſland*; one other act, entitled, *An act for ſettling the north-eaſt part of the iſland*; one other act, entitled, *An act for encouraging white people to come over and become ſettlers in this iſland, and for the more eaſy and ſpeedy ſettling the north-eaſt part thereof*; one other act, entitled, *An explanatory act for the further encouraging the ſettling the pariſh of Portland*; one other act, entitled, *An act for the better carrying on and ſecuring the new ſettlements at Port-Antonio, in the pariſh of Portland*; one other act, entitled, *An act for effectually ſettling the pariſh of Portland, by veſting all the unſettled lands in the ſaid pariſh in the crown*; one other act, entitled, *An act for introducing of white people into this iſland; for ſubſiſting them for a certain time, and providing them with land, that they may become ſettlers*; one other act, entitled, *An act for giving the ſame allowances to new-comers, who ſhall take up and ſettle lands within the pariſh of Portland, as thoſe new-comers are intitled to who have taken up lands at or near Norman's Valley, or at or near Manchioneal Harbour, by virtue of an act entitled, "An act for introducing of white people into this iſland; for ſubſiſting them for a certain time, and providing them with land, that they may become ſettlers;"* one other act, entitled, *An act to* Preamble. 8 Geo. I. cap. 2. 9 Geo. I. cap. 8. 10 Geo. I. cap. 8. 12 Geo. I. cap. 10. 1 Geo. II. cap. 11. 11 Geo. II. cap. 5. 9 Geo. II. cap. 4. *Recited act is expired.* 26 Geo. II. cap. 4.

to empower his excellency the governor, or the governor and commander in chief for the time being, to make grants to new-comers of the one hundred acres of land laid out for the use of parties near the barrack, at or near Manchioneal harbour; and one other act, entitled, *An act to repeal part of an act entitled, "An explanatory act for the further encouraging the settling the parish of Portland;" and for the other purposes therein mentioned*; divers restrictions, conditions, penalties, and forfeitures, have been laid and imposed upon persons becoming settlers in the said parish of Portland, with intent to promote the settling of that parish: And whereas, however well intended such clauses in the said several laws were, in the infant state of the said parish, experience hath shewn that they have failed of their end, and been productive of effects directly contrary to such benevolent intentions; and that all restrictions, conditions, penalties, and forfeitures, imposed on new settlers, do naturally tend to retard, instead of promoting, the general settlement: And whereas the leaving the lands of the said parish open to be patented free from all such restrictions, conditions, penalties, and forfeitures, and in the same manner as the lands in the several other parishes in this island are and may now be patented, will admit many persons to become settlers there, who, by reason of their small capitals, cannot submit to the burthen of the aforesaid restrictions, conditions, and penalties, and will manifestly tend to the complete settlement of the said parish, and thereby to the greater security of this island, and the increase of the trade and commerce of Great-Britain: We, therefore, your majesty's most dutiful and loyal subjects, the governor, council, and assembly of Jamaica, most humbly beseech your majesty that it may be enacted, and be it enacted by the authority of the same, That all and every the lands in the said parish, which now remain vested in his majesty, his heirs and successors, shall, from and after the passing of this act, be granted by his majesty, his heirs and successors, to all persons patenting the same, in the same manner as the lands in the several other parishes of this island are patented, free and discharged of and from all the restrictions, conditions, penalties, and forfeitures, imposed by any clause or clauses of the said laws herein-before recited; any thing in any of the said recited acts to the contrary in anywise notwithstanding.

17 Geo. III. Jaj. 26.

Lands in Portland to be patented for the future like those in other parishes, free from conditions.

II. And be it further enacted by the authority aforesaid, That all and every person or persons who now hold lands in the said parish by virtue of patents, duly taken out under the said laws and the said clauses thereof, shall, from and after the passing of this act, hold the same, for and during their several and respective estates therein, free and discharged of and from all such restrictions, conditions, penalties, and forfeitures, imposed by any of the said recited laws, or any of the clauses thereof, aforesaid, and in the same manner as the lands in the other parishes of this island are held; any thing in any of the said laws, or in any of the said clauses thereof, to the contrary in anywise notwithstanding.

Present patentees of lands in Portland to hold them free from restrictions, &c.

III. And

III. And be it further enacted by the authority aforeſaid, That all and every the clauſes, in all and every the ſaid acts, which impoſe any ſuch reſtrictions, conditions, penalties, and forfeitures, upon perſons taking up and patenting any of the lands within the ſaid pariſh, or which in anywiſe relate to the ſame, be, and the ſame are hereby, repealed, annulled, and made void, ſo far as they or any of them impoſe ſuch reſtrictions, conditions, penalties, and forfeitures, or in anywiſe relate to ſuch reſtrictions, conditions, penalties, and forfeitures, only, and no further; any thing therein, or in the ſaid recited acts wherein they are contained, or any of them, or in any other act or law of this iſland, to the contrary thereof in anywiſe notwithſtanding: Provided always nevertheleſs, That this act, or any thing therein contained, ſhall not be deemed, taken, or conſtrued, to confirm or make good the title of any perſon who hath patented any lands in the ſaid pariſh within four years before the paſſing of this act, in manifeſt evaſion of the ſaid recited acts, and the ſeveral clauſes thereof aforeſaid, while the ſaid clauſes were in force.

Reſtrictive clauſes in the former Portland acts repealed, ſo far as they are ſo, but no farther.

This act not to confirm titles of perſons who have, within four years, evaded the former laws, in patenting.

CAP. XXIII.

An act to compel the preſent provoſt-marſhal to enter ſatisfaction, in his books, upon all executions now entered [returned] *into his office, which appear to be ſatisfied; and to oblige the perſons, hereafter executing that office, to enter ſatisfaction, in ſaid office, upon all executions that ſhall be hereafter lodged; and for other purpoſes reſpecting the public offices and officers.*—[12th January, 1781.]

WHEREAS great difficulties have ariſen, and are ſtill in ſome degree exiſting, in the office of the provoſt-marſhal of this iſland, to diſcover to whoſe writ or writs of execution the monies returned into that office, upon writs of execution or *venditioni exponas*, iſſued and lodged in the ſaid office, are ſubject and liable in a due courſe of priority; whereby great ſums of money have heretofore been concealed in the hands of former provoſt-marſhals, to the great hurt and injury of the fair and juſt creditor, and alſo to the great oppreſſion of the unhappy debtor: And whereas it is abſolutely neceſſary that all monies returned into that office, upon any writ or writs whatſoever, ſhould be fully made known and diſcovered to the ſuitors of the ſeveral courts of this iſland, and the monies returned into the ſaid office applied according to a juſt and fair right of priority; and that, in all caſes whatſoever, when the debt, coſts, and fees, of any writ or writs lodged in the ſaid office, ſhall be fully paid and diſcharged, ſatisfaction ſhould be entered in the books of ſaid office, upon the original entry of the writ of execution, in every ſuit; which will be of great benefit

Preamble.

and advantage to the public in general: To which end and purpoſe, and to prevent the evils heretofore complained of, and in order that every ſatisfaction poſſible may be given, by every perſon or perſons executing the office of provoſt-marſhal of this iſland, to the public, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted by the governor, council, and aſſembly, and it is hereby enacted by the authority of the ſame, That, from and after the paſſing of this act, the preſent provoſt-marſhal ſhall, and he is hereby obliged, within three months after the paſſing of this act, to enter, in the margin of the books kept in the ſaid office in which the original writs of execution lodged in ſaid office are entered, ſatisfaction againſt every ſuch writ of execution that ſhall by any ways or means whatſoever appear to him to be fully ſatisfied and diſcharged, either by the returns of levies made upon any writ or writs returned into ſaid office, or by any other ways or means whatſoever, and that without any fee or reward to be aſked, demanded, or received, by him for ſo doing, under the penalty of one hundred pounds for every neglect.

Preſent provoſt-marſhal, within three months, to enter ſatisfaction on all writs of execution which appear to him to be diſcharged, without fee, under penalty of 100*l.* for each neglect.

II. And be it further enacted by the authority aforeſaid, That, from and immediately after the paſſing of this act, all and every perſon or perſons, at the firſt time of lodging any original writ or writs of execution in the ſaid office, ſhall pay to the provoſt-marſhal for the time being two ſhillings and ſix pence for every ſuch writ of execution ſo lodged; which ſum of two ſhillings and ſix pence ſhall be in full of the labour and trouble of the provoſt-marſhal, for entering ſatisfaction upon ſuch execution in the books of the ſaid provoſt-marſhal, when the ſame ſhall appear, by any ways or means whatſoever, to be ſatisfied or diſcharged: And the ſaid provoſt-marſhal is hereby compelled and obliged to enter ſuch ſatisfaction, without having, taking, or receiving, any further or other fee whatſoever, under the penalty of five hundred pounds for every neglect or refuſal.

Perſons lodging original writs of execution, to pay provoſt-marſhal *2s. 6d.* which is to be in full for entering ſatisfactions.

Penalty of 500*l.* on extortion.

III. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the clerk of the ſupreme court of judicature of this iſland, for the time being, to tax the ſaid ſum of two ſhillings and ſix pence as part of the coſts of the plaintiff, in every original execution iſſuing out of his office to be lodged in the office of the provoſt-marſhal, as aforeſaid.

Clerk of the court to tax *2s. 6d.* as part of plaintiff's costs.

IV. And be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, the provoſt-marſhal-general, executing the ſaid office in this iſland, ſhall provide and keep a book or books, back alphabet or back alphabets, of priorities; in which ſhall be entered the name or names of the defendants in every writ of execution hereafter to be lodged in his office, with all and every the levies made upon any writ or writs of *venditioni*, or other writs lodged in the ſaid office, againſt ſuch defendant or defendants, and what levies are made each court, ſubject and liable

Provoſt-marſhal to keep books or back alphabets of priorities,

liable to every ſuch writ or writs of execution; and that in ſo fair and clear a manner that every plaintiff or defendant may, at one view, diſcover how much money have been paid or returned into the ſaid office, ſubject and liable to ſuch writ or writs of execution, under the penalty of five hundred pounds for every neglect: Which book or books, back alphabet or alphabets, ſhall be and remain for ever hereafter in the ſaid office, ſubject and liable to the view and inſpection of any perſon or perſons deſiring to view and inſpect the ſame, upon ſuch perſon or perſons paying to the provoſt-marſhal for the time being the ſum of one ſhilling and three pence, for every ſearch he or they ſhall make in the ſaid book or books: And in caſe any provoſt-marſhal ſhall, upon leaving the ſaid office, take away, or by any ways or means deſtroy, any ſuch book or books, ſuch provoſt-marſhal ſhall, for every ſuch offence, be ſubject to the penalty of ten thouſand pounds.

in the clearest and most intelligible manner,

under penalty of 500*l.*

Such books to be always in his office, ready for inſpection, on paying 1*s.* 3*d.* for each ſearch.

He forfeits 10,000*l.* if he takes away or deſtroys them.

V. And whereas deeds and papers are entered and recorded in the ſecretary's office of this iſland, which are left in the ſaid office for a great number of years, and thereby become uſeleſs, and are an incumbrance to the ſaid office: Be it therefore enacted by the authority aforeſaid, That, from and after the paſſing of this act, all deeds and other papers (except laſt wills and teſtaments) that ſhall have been entered and recorded in the ſaid office, and have or ſhall remain in the ſaid office for twenty years, ſhall be deſtroyed by the ſecretary of the iſland executing the office here; any thing in this or any other law to the contrary in anywiſe notwithſtanding.

All deeds, &c. (except wills) recorded in the ſecretary's office, remaining there twenty years, to be deſtroyed.

VI. And whereas it often happens that the receipts given by the ſecretary of this iſland, for deeds and other papers entered in the ſaid office, are loſt or miſlaid, and the perſon or perſons to whom ſuch deeds and papers do properly belong are deprived the benefit of taking out ſuch original deeds and papers, not having the receipts to produce: To remedy which inconvenience in future, Be it enacted by the authority aforeſaid, That after any deed or other paper ſhall have been entered and recorded in the ſaid office for two years, and the perſon or perſons to whom any ſuch deed or paper ſo entered and recorded ſhall belong, not having the receipt ſo given by the ſecretary to produce, but the ſame ſhall be loſt or miſlaid, it ſhall be lawful for the ſecretary for the time being to deliver ſuch deed or paper to any perſon or perſons who ſhall apply for the ſame, and ſhall make it appear to ſuch ſecretary that ſuch deed or paper is his, her, or their property, upon ſuch perſon or perſons giving a receipt for ſuch deed or paper, ſo entered and recorded in the ſaid office, in a book to be kept by the ſaid ſecretary for the time being; for which trouble the ſecretary for the time being ſhall, for every ſuch receipt, take and receive the ſum of one ſhilling and three pence, and no more.

Deeds or papers recorded there for two years, and the receipts loſt, to be delivered to the perſons intitled thereto, they giving receipts for them.

Secretary's fee.

VII. And be it further enacted by the authority aforeſaid, That all penalties in this act mentioned, and not directed how to be recovered, ſhall

Penalties how to be reco-

vered and disposed of.

be recovered in the ſupreme court of judicature of this iſland, by action of debt, bill, plaint, or information, wherein no eſſoin, imparlance, wager of law, or injunction, ſhall be granted, or *non vult ulterius proſequi* be entered or allowed; one moiety whereof ſhall be to the uſe of our ſovereign lord the king, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof, and the other moiety to the informer, or him, her, or them, who ſhall ſue for the ſame; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding.

CAP. XXIV.

EXPIRED. *An act to appoint inſpectors for regulating the allowance given to priſoners confined in goal; and for granting an additional allowance for the ſupport of negroes confined in goal, for a limited time.*—[12th January, 1781.]

CAP. XXV.

An act to make the places of the judges of the ſupreme court of judicature and juſtices of aſſize, in this iſland, more permanent and reſpectable.—[13th January, 1781.]

Preamble.

WHEREAS many evils have ariſen, and may ariſe, by the judges of the ſupreme court of judicature and juſtices of the courts of aſſize, of this his majeſty's iſland, holding their places as judges and juſtices at the ſole will and pleaſure of his majeſty's governor or commander in chief, who heretofore hath, and now may, diſplace any of the ſaid judges or juſtices at his pleaſure, without aſſigning any cauſe whatſoever for ſo doing; which manifeſtly tends to lower the dignity of the judges of the ſupreme court and juſtices of aſſize, and to render the ſupreme court and courts of aſſize ſubſervient to the will and pleaſure of a governor: And whereas nothing can contribute more to an impartial adminiſtration of juſtice, and more effectually raiſe the dignity of the ſaid courts, and render the judges of the ſupreme court and juſtices of aſſize more reſpectable, and of free and unbiaſſed minds in their determinations, than their holding their places in a more permanent manner than they have hitherto done: We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, humbly beſeech your majeſty that it may be enacted, and be it therefore enacted by the governor, council, and aſſembly, of this iſland, and it is hereby enacted by the authority of the ſame, That, from and after the paſſing this act, the judges of the ſupreme court of judicature and juſtices of the courts of aſſize of this iſland, who now are or ſhall be hereafter appointed, ſhall not be removed from executing their ſaid offices, but by his majeſty's pleaſure ſignified under his majeſty's ſeal [*ſign*] manual; and, until his majeſty's pleaſure

Judges of grand court and juſtices of aſſize not to be removed but by the king's order.

pleaſure for removal ſhall be ſo ſignified, all and every the commiſſions of the judges and juſtices ſhall remain in full force.

II. Provided always nevertheleſs, and it is the true intent and meaning of this act, That the governor, or commander in chief for the time being, may, by and with the advice and conſent of five of the council, upon good and ſufficient cauſe, ſuſpend any judge of the ſaid ſupreme court, or juſtice of aſſize, from executing either of the ſaid offices until his majeſty's pleaſure ſhall be known; ſuch governor or commander in chief ſending to his majeſty a full and true ſtate of the cauſe of ſuch ſuſpenſion, in order for his majeſty's royal determination, and delivering to the judge or juſtice ſo ſuſpended, at the time of his ſuſpenſion, a true copy of the cauſe for which he ſhall be ſo ſuſpended, ſigned by ſuch governor or commander in chief, in order that he may be able, by himſelf or his agents, to make his defence before his majeſty againſt his being diſplaced as a judge of the ſaid ſupreme court or juſtice of aſſize, if he ſhall think proper ſo to do; any thing herein contained to the contrary in anywiſe notwithſtanding.

Governor may, by advice of five of the council, ſuspend them,

accounting to his majesty for,

and delivering to the judge or justice a copy of the cause of, such suspension.

CAP. XXVI.

An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.—[13th January, 1781.] EXPIRED.

CAP. XXVII.

An act for granting an additional ſubſiſtence to his majeſty's ninety-ninth regiment of foot, and alſo a further reinforcement of artillery-men, quartered in this iſland.—[21ſt July, 1781.] EXPIRED.

Anno regni Georgii tertii viceſimo ſecundo.

CAP. I.

An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes.— [23d November, 1781.] EXPIRED.

CAP. II.

An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations.—[23d November, 1781.] EXPIRED.

CAP.

CAP. III.

EXPIRED. *An act for giving an additional allowance for the support of negroes confined in gaol, for a certain time.*—[23d November, 1781.]

CAP. IV.

EXPIRED. *An act to amend an act entitled, "An act for ascertaining who shall compose future councils of war; and for subsisting the militia in time of martial law; and for other purposes respecting the said militia."*—[23d November, 1781.]

CAP. V.

EXPIRED. *An act for raising and fitting out parties for suppressing any rebellion in this island, during the continuance of this act.*—[23d November, 1781.]

CAP. VI.

EXPIRED. *An act for establishing and declaring rules and articles of war.*—[23d November, 1781.]

CAP. VII.

EXPIRED. *An act to enable his excellency John Dalling, esquire, captain-general, governor, and commander in chief of this island, or the governor or commander in chief for the time being, to issue his majesty's royal proclamation, during the recess of the present assembly, prohibiting the exportation of flour and other provisions from this island, for a limited time.*—[23d November, 1781.]

CAP. VIII.

An act to repeal two several acts, the one, an act entitled, "An act appointing the prices of meat," passed in the year of our Lord one thousand six hundred and eighty-one, and the other, an act entitled, "An act for appointing the prices of meats, and regulating markets," passed in the year of our Lord one thousand six hundred and ninety-three, so far as the said acts relate to the prices of meats.—[23d November, 1781.]

Preamble. 33 *Car.* II. *cap.* 4. 5 *Gul. & Mar. cap.* 6.

WHEREAS it has been found, by experience, that an act entitled, *An act appointing the prices of meat*, passed in the year of our Lord one thousand six hundred and eighty-one, and an act entitled, *An act appointing the prices of meats, and regulating markets*, passed in the year of our Lord one thousand six hundred and ninety-three, so far as they relate to the prices of meats, have not answered the purposes for which they were intended, and will tend to the great discouragement of the settlement of this island, if continued, and therefore ought to be repealed: We, therefore, your majesty's most dutiful and loyal subjects, the

the governor, council, and assembly, of Jamaica, humbly beseech your majesty that it may be enacted, and be it enacted by the authority of the same, That the aforesaid acts, so far as they relate to the prices of meats, shall be, and each of them is hereby, repealed and made void, to all intents and purposes whatsoever.

Repeal of recited acts, so far as they fix prices of meats.

CAP. IX.

An act for the ascertainment and regulation of emblements.—[23d November, 1781.] EXPIRED.

CAP. X.

An act to prevent horse-stealing, and for preventing the stealing and destroying of sheep, goats, and other cattle.—[23d November, 1781.] EXPIRED.

CAP. XI.

An act to regulate wharfage and storeage.—[23d November, 1781.] EXPIRED.

CAP. XII.

An act for altering, amending, and keeping in repair, the road leading from the town of Kingston, through the parishes of Port-Royal and St. David, through Four-Mile-Wood to Yallah's Bay, and thence through Morant-Bay and Port-Morant, to the harbour of Manchioneal; and for vesting in trustees the toll or tolls to be raised by a turnpike or turnpikes on the said road, for the purposes aforesaid.—[23d November, 1781.] EXPIRED.

CAP. XIII.

An act to repeal two several acts of this island, one entitled, "An act for appointing commissioners for ordering and inspecting the works in and about the forts, fortifications, and barracks of this island;" the other entitled, "An act to add commissioners to those already appointed for carrying on the works in and about the forts, fortifications, and barracks of this island, and to those already appointed for building, finishing, and repairing the public edifice in St. Jago de la Vega;" and for appointing commissioners for forts, fortifications, and public buildings.—[23d November, 1781.] EXPIRED.

CAP. XIV.

An act for granting an additional salary to his honour Archibald Campbell, esquire, lieutenant-governor and commander in chief, during his administration.—[21st December, 1781.] EXPIRED.

CAP. XV.

An act to explain, amend, and render more effectual, "An act to augment the salary of his excellency George Haldane, esquire; and for providing certain lands and premises to be annexed to the government, for the use of the governor for the time being.—[21st December, 1781.] EXPIRED.

CAP.

CAP. XVI.

EXPIRED. *An act for laying a duty on all wines, arrack, brandy, and gin, retailed within this island; and for laying a further tax on licenses to be granted for the retailing of wines, arrack, brandy, and gin, and on the public offices, and on rum sold for consumption in this island; and applying the same to several uses.*—[21st December, 1781.]

CAP. XVII.

EXPIRED. *An act to repeal several acts, and clauses of acts, respecting slaves, and for the better order and government of slaves; and for other purposes.*—[21st December, 1781.]

CAP. XVIII.

EXPIRED. *An act for giving license to the captors and other proprietors, and purchasers, of prize-goods, brought into and condemned as such in this island, to export the same, under certain regulations, free from any duties imposed by the laws of this island; and for the laying a duty on certain wines that may be brought in and condemned as prize, and sold in this island, and not already liable to any duty or impost.*—[21st December, 1781.]

CAP. XIX.

An act for the better preventing mischiefs that may happen by fire in the town of Kingston; for the further regulating the assize of bread, and the nightly watch, in the said town; and for other purposes therein mentioned.

[21st December, 1781.]

Preamble. WHEREAS many fires have lately broke out in several places in and about the town of Kingston, in the county of Surrey, in the said island, and many houses have been burnt and consumed before such fires could be extinguished, to the impoverishing and utter ruin of many of his majesty's subjects in the said town; the rage and violence whereof might have been in a great measure prevented, if a sufficient quantity of water, and proper engines, with persons to work the same, under proper regulation, had been provided: For the preventing, therefore, the like mischiefs for the future, We, your majesty's most dutiful and loyal subjects, the assembly of this your island of Jamaica, most humbly beseech your majesty that it may be enacted, and be it enacted by the lieutenant-governor, council, and assembly, of the said island, and it is hereby enacted and ordained by the authority of the same, That, from and after the first day of June, which will be in the year of our Lord one thousand seven hundred and eighty-two, every housekeeper in the said town of Kingston, who shall be assessed in the parish-books of the said town at the sum of forty pounds and upwards, shall, from time to time, and at all times, be provided with, and keep in good order and repair, two leather buckets,

Housekeepers assessed at between 40*l.* and 80*l.* to send out two buckets (with their names thereon) and one negro;

buckets, each of which to contain two gallons and one half of a gallon at the leaſt, and on which ſhall be painted the name of ſuch houſekeeper at full length; and that every ſuch houſekeeper ſhall, on every emergency or alarm of fire, provide one able negro to carry the ſaid buckets to ſuch fire, and to aſſiſt in the extinguiſhment thereof: And that every houſekeeper in the ſaid town of Kingſton, who ſhall be aſſeſſed in the ſaid pariſh-books at the ſum of eighty pounds and upwards, ſhall in like manner be provided with, and keep in good order and repair, four leather buckets, each of which to contain the like quantity as above mentioned, and on which ſhall alſo be painted the name of ſuch houſekeeper at full length; and that every ſuch houſekeeper who ſhall be ſo aſſeſſed as laſt aforeſaid ſhall, on every emergency or alarm of fire, provide two able negroes to carry the ſaid buckets to ſuch fire, and to aſſiſt in the extinguiſhment thereof: And that every houſekeeper in the ſaid town of Kingſton, who ſhall be aſſeſſed in the ſaid pariſh-books at the ſum of one hundred and twenty pounds and upwards, ſhall in like manner be provided with, and keep in good order and repair, ſix leather buckets, each of which to contain the like quantity as above mentioned, and on which ſhall alſo be painted the name of ſuch houſekeeper at full length; and that every ſuch houſekeeper who ſhall be ſo aſſeſſed as laſt aforeſaid ſhall, on every emergency or alarm of fire, provide three able negroes to carry the ſaid buckets to ſuch fire, and to aſſiſt in the extinguiſhment thereof: And in default of having, and keeping in good repair, ſuch leather buckets as aforeſaid, every ſuch houſekeeper, as aforeſaid, ſo making default, and being convicted thereof, before two of his majeſty's juſtices of the peace for the ſaid pariſh of Kingſton, upon the teſtimony, on oath, of one or more credible witneſs or witneſſes, or on the view of any one or more juſtice or juſtices of the peace for the ſaid pariſh, ſhall forfeit and pay the ſum of two pounds for every bucket that ſhall not be ſo provided and kept in good repair as aforeſaid; one moiety thereof to the informer, in caſe ſuch conviction ſhall be upon information as aforeſaid, and the other moiety thereof to the poor of the ſaid pariſh of Kingſton; and in caſe ſuch conviction ſhall be upon the view of any ſuch juſtice or juſtices of the peace as aforeſaid, then the whole of every ſuch forfeiture ſhall be to the uſe of the poor of the ſaid pariſh of Kingſton; to be recovered, by warrant from two of his majeſty's juſtices of the peace of the ſaid pariſh, by diſtreſs and ſale of the goods of ſuch houſekeeper ſo making default as aforeſaid; the overplus, if any there be, to be returned to the owner thereof.

those between 80*l.* and 120*l.* four buckets and two negroes;

and those at above 120*l.* six buckets and three negroes.

Housekeepers making default, to forfeit 40*s.* for every bucket not provided.

Application and recovery of penalties.

II. And be it further enacted by the authority aforeſaid, That, from and after the firſt day of June aforeſaid, the juſtices and veſtry of the ſaid town and pariſh of Kingſton ſhall, from time to time, and at all times, have, and keep in good order and repair, in ſome known and public place within the ſaid town, eight large engines to throw up water for the extinguiſhing of fires, with proper leather pipes and ſockets; and, in default thereof,

Juſtices, &c. always to keep eight fire-engines in good order.

Penalty on neglect.

thereof, the ſaid juſtices and veſtry ſo making default, and being thereof convicted, on information on oath, before two of his majeſty's juſtices of the peace for the ſaid county of Surrey, ſhall forfeit and pay the ſum of ten pounds each; one moiety thereof to the informer, and the other moiety to the poor of the ſaid pariſh of Kingſton; to be recovered, by warrant from two of his majeſty's juſtices of the peace for the ſaid county of Surrey, by diſtreſs and ſale of the goods of every ſuch magiſtrate and veſtryman making default as aforeſaid; and the overplus, if any be, to be returned to the owner thereof.

They may appoint a captain to each engine;

pay him a ſalary;

and give rewards to active perſons.

III. And be it further enacted by the authority aforeſaid, That the juſtices and veſtry of the ſaid town of Kingſton, for the time being, ſhall be and are hereby empowered, from time to time, and at all times hereafter, to hire or employ a ſkilful perſon, as a captain or manager of every ſuch engine ſo to be provided as aforeſaid; and to pay every ſuch perſon, which ſhall be ſo hired or employed for the purpoſes aforeſaid, ſuch annual or other ſalary as to them ſhall ſeem expedient; and alſo to reward all ſuch perſons, negroes and others, as they ſhall think intitled to be paid for their extraordinary activity and attention exerciſed in the extinguiſhment of any ſuch fire or fires, as to them ſhall ſeem meet.

Captain of the firſt engine which arrives at a fire to be paid 10*l.* and the ſecond 5*l.*

IV. And be it further enacted by the authority aforeſaid, That, upon every alarm and breaking out of fire in the ſaid town of Kingſton, the captain or manager of the engine which ſhall firſt arrive at the place where any ſuch fire ſhall happen ſhall be paid the ſum of ten pounds, and the captain or manager of the engine which ſhall be the ſecond at the ſaid fire ſhall be paid the ſum of five pounds, by the juſtices and veſtry of the ſaid town for the time being, as an encouragement for the attention and activity of ſuch captain or manager.

Juſtices and veſtry empowered to tax the inhabitants for the above purpoſes, at their diſcretion;

and likewiſe for ſinking wells and fixing pumps.

V. And be it further enacted by the authority aforeſaid, That the juſtices and veſtry of the ſaid town of Kingſton, for the time being, are hereby authorized and empowered, from time to time, to lay, tax, and aſſeſs, the inhabitants of the ſaid town, all ſuch ſum and ſums of money as they ſhall think neceſſary for the purchaſe and keeping in repair ſuch engines, herein before directed to be purchaſed and kept in repair as aforeſaid, and for paying and defraying the ſalaries of ſuch captains or managers of the ſaid engines ſo to be employed as aforeſaid, and for ſatisfying ſuch rewards as are hereby directed to be given to the captains or managers of the ſaid fire-engines ſo as aforeſaid firſt arriving at any place where ſuch fire ſhall happen, or ſuch other perſons particularly active in the extinguiſhment of any ſuch fire as before mentioned; and alſo for the making and ſinking any number of wells, and fixing pumps in them, or any of them, in ſuch convenient places as the ſaid juſtices and veſtry ſhall think proper.

VI. And

They must annually appoint ten inhabitants to be firewardens, two of whom to be justices of the peace.

VI. And be it further enacted and ordained by the authority [*aforesaid,*] That, from and after the said first day of June, in the year of our Lord one thousand seven hundred and eighty-two, the justices and vestry of the said town of Kingston shall, at the next vestry to be holden in and for the said parish after the said first day of June, one thousand seven hundred and eighty-two, and the justices and vestry of the said town of Kingston shall yearly and every year, and they are hereby directed, authorized, and empowered, annually to, elect and choose, nominate and appoint, ten of the inhabitants of the said town as firewardens, two of whom at the least to be justices of the peace for the said town; who shall thenceforward be denominated firewardens for the current year, and shall take and subscribe, before one of his majesty's justices of the peace for the said town, the following oath; which oath all and every of the said justices of the peace for the said town are hereby authorized and empowered to administer; *viz.*

Oath to be taken by the firewardens.

I, A. B. *do swear, that I will, well and faithfully, and to the best and utmost of my power and ability, execute and discharge the office of firewarden for the town of Kingston, for the current year, as directed by an act of the lieutenant-governor, council, and assembly, of the said island, in that case lately made and provided, entitled,* "*An act for the better preventing mischiefs that may happen by fire in the town of Kingston; for the further regulating the assize of bread, and the nightly watch, in the said town; and for other purposes therein mentioned.*" *So help me God.*

Firewardens refusing to execute the office, or to take the oath in ten days after appointed, to forfeit 20*l.*

VII. And be it further enacted and ordained by the authority aforesaid, That, in case any person so appointed to the office of firewarden, shall, after such appointment, refuse to take upon [*him*] the said office, and shall not, within ten days after notice in writing of such his appointment shall be given to him, by or from any one of the said justices or vestry for the time being, take and subscribe the said oath, such person, so refusing to take upon him the said office and subscribe the said oath, shall forfeit and pay the sum of twenty pounds, for the use of the poor of the said parish; to be recovered, by warrant from two of his majesty's justices of the peace of the said parish, by distress and sale of the goods of such person so refusing; the overplus, if any, to be returned to the owner thereof.

Firewardens invested with absolute direction at fires.

Military to obey them.

They are to have badges of distinction.

VIII. And be it further enacted and ordained by the authority aforesaid, That the said firewardens shall have and be invested with, and they are hereby invested with, the sole and absolute direction of the extinguishment of such fires which may so happen, as aforesaid; and that the officers and soldiers of the military, that shall be present at any such fire, shall receive from the said firewardens directions as to their conduct: And that the said firewardens, and each of them, shall at any such fire, wear, as a mark or badge of distinction, a silver plate on his breast, and have a white staff, in order to denote his office; the same to be purchased at the expence of the parish, and delivered over to their successors.

All persons assisting to extinguish fires, protected in their persons.

IX. And be it further enacted and ordained by the authority aforesaid, That the said firewardens, during the execution of their duty, and all other persons whatsoever attending and assisting in the extinguishment of any such fire which shall so happen as aforesaid, and for twenty-four hours afterwards, shall be exempted from all judicial process whatsoever.

Firewardens, constables, &c. to repair to fires on notice given, with their staves, &c. to aid in extinguishing them, and to prevent robberies.

X. And be it further enacted and ordained by the authority aforesaid, That, upon the breaking out of any fire within the said town or parish of Kingston, the said firewardens, and all constables and beadles, upon notice thereof, shall immediately repair to the place where the said fire shall happen, with their staves, and other the badges of authority, and be aiding and assisting, as well in the extinguishing the said fire, and causing negroes and others to work at the engines, and also to prevent goods being stolen, and shall seize and apprehend all ill-disposed persons that they shall find stealing and pilfering from the inhabitants; and also that the said firewardens, constables, and beadles, shall give their utmost assistance to help the inhabitants to remove their said goods.

Engines to be examined every month, and buckets every three months.

XI. And be it further enacted and ordained by the authority aforesaid, That the said firewardens, or any three or more of them, shall, and they are hereby directed, required, and empowered, once in every month, to examine into and superintend the working of the said engines, to the intent that the same may be kept in perfect and complete repair; and, once, in every three months, to examine the buckets through the said town of Kingston, for the like purpose; to the end that the said engines and buckets may be constantly ready, and fit for immediate use, in case of any sudden emergency.

Firewardens empowered to order the pulling down, or blowing up of houses;

For which the owner, if the fire is thereby stopped, is to receive satisfaction, to be raised by the parish.

XII. And be it further enacted and ordained by the authority aforesaid, That, when any fire shall happen to break out in the said town of Kingston, the said firewardens, or the major part of them who shall be present at such fire, shall and may, and they are hereby empowered to, give all such directions for the pulling down or blowing up any such house or houses as shall be by them thought meet to be pulled down or blown up, for the stopping and preventing the further spreading of the same; and if it shall happen that the pulling down or blowing up any such house or houses, by the direction aforesaid, shall be the occasion of stopping the said fire, or the fire shall stop before it reaches such house or houses so pulled down or blown up as aforesaid, then, and in either the said cases, the proprietor or proprietors of such house or houses, so pulled down or blown up as aforesaid, shall receive satisfaction, and be paid for the same by the rest of the inhabitants whose houses shall not be burnt: And the justices and vestry of the said town of Kingston, for the time being, are hereby empowered to make such rate or rates, for the raising and levying such sum and sums of money, as they in their judgments shall think necessary and expedient for that purpose:

poſe: Provided always, That if the houſe where any fire ſhall firſt begin and break out ſhall be adjudged neceſſary to be pulled down or blown up, to hinder the further ſpreading and increaſe thereof, then the proprietor of the ſaid houſe ſhall receive no manner of ſatisfaction for the ſame; any thing in this act to the contrary notwithſtanding. If houſe where fire begins is blown up, &c. no ſatisfaction to be given.

XIII. And be it further enacted by the authority aforeſaid, That if any action ſhall be brought for any thing done in purſuance of this act, the defendant may plead the general iſſue, and give this act in evidence; and in caſe the plaintiff ſhall become nonſuit, or diſcontinue his action or ſuit, or if a verdict paſs againſt him, the defendant ſhall recover treble coſts. General iſſue. Treble coſts.

XIV. And whereas fires have frequently happened in the ſaid town of Kingſton, from the careleſſneſs and negligence of perſons retailing rum, and particularly in the night-time: And whereas the buildings of the ſaid town are expoſed to the dreadful calamity of fire, from the ſhops of the ſaid retailers of rum being kept in all parts thereof promiſcuouſly: For the prevention of which evils and miſchiefs for the future, Be it further enacted by the authority aforeſaid, That no perſon or perſons whatſoever, keeping a ſhop or ſhops for the purpoſe of retailing rum or other ſpirituous liquors, ſhall, after the firſt day of January, one thouſand ſeven hundred and eighty-two, ſell, by retail or otherwiſe, any rum or other ſpirituous liquors whatſoever before the hour of ſix of the clock in the morning, nor after the hour of ſix of the clock in the evening; and that if any ſuch perſon or perſons ſhall ſo ſell, by retail or otherwiſe, any rum or other ſpirituous liquors before the ſaid hour of ſix in the morning, or after the ſaid hour of ſix in the evening, contrary to the true intent and meaning of this act, every ſuch perſon, being thereof lawfully convicted, by the oath of one or more credible witneſs or witneſſes, made before two or more of his majeſty's juſtices of the peace for the ſaid town of Kingſton, ſhall forfeit and pay the ſum of twenty pounds; one moiety thereof to the informer, and the other moiety to the poor of the ſaid pariſh; to be recovered by warrant from two of his majeſty's juſtices of the peace, by diſtreſs and ſale of the offender's goods; the overplus, if any, to be returned to the owner thereof. No rum-ſellers to diſpoſe of any before ſix in the morning, nor after ſix in the evening, under forfeiture of 20l. How to be diſpoſed of and recovered.

XV. And whereas the laws now in force, for ſettling and regulating the price and aſſize of bread in the ſeveral pariſhes of this iſland, have not been found, in the ſaid town of Kingſton, to anſwer the good purpoſes thereby intended; on account that the magiſtrates or juſtices of the peace are not empowered, by the ſaid laws, or any of them, to puniſh the delinquents therein named, on the view of ſuch magiſtrates of the offences in the ſaid act mentioned, but on information only: To remedy, therefore, ſuch inconveniencies for the future, in the ſaid town of Kingſton, Be it further enacted by the authority aforeſaid, That any two of his majeſty's juſtices of the peace, with ſix veſtrymen of the ſaid town and pariſh of Kingſton, in veſtry aſſembled, ſhall, Juſtices and veſtrymen to aſſix the.

weight and assize of bread to be sold.

ſhall, from time to time, as occaſion ſhall require, ſet, aſcertain, and appoint, within the ſaid pariſh, the aſſize and weight of all ſorts of bread to be ſold or expoſed to ſale by any baker, or other perſon whatſoever, within the limits of the ſaid pariſh of Kingſton, having reſpect to the price of meal or flour whereof ſuch bread ſhall be made, in the markets in the ſaid pariſh; any thing in this or any other act, or any cuſtom or uſage, to the contrary notwithſtanding.

Bakers to mark their bread, as directed by juſtices and veſtry;

XVI. And, to the intent that the good deſign of this act may be effectually complied with, be it further enacted by the authority aforeſaid, That every common baker, and every perſon who ſhall make or bake for ſale, or any ways expoſe to ſale, any ſort of bread whatſoever, ſhall, from and after the paſſing of this act, fairly imprint or mark, or cauſe to be fairly imprinted or marked, the initial capital letters of the name or names of ſuch baker or bakers, on every loaf ſo by him or her made, or expoſed to ſale, or any other mark, as ſhall be appointed by the ſaid juſtices and veſtry; and the ſaid juſtices and veſtry of the ſaid pariſh of Kingſton ſhall have full power and authority, from time to time, to limit, direct, and appoint, how and in what manner ſuch loaf of bread ſhall be marked, in order to aſcertain the maker or baker of ſuch bread; alſo to ſet the price and weight thereof, as in their judgment they ſhall find neceſſary and convenient: And if any baker or bakers, or other perſon, or perſons baking or making bread for ſale, or expoſing bread for ſale, within the ſaid town of Kingſton, ſhall not obſerve the aſſize to be aſcertained by the ſaid juſtices and veſtry, or ſhall bake or make for ſale, or ſell, or expoſe to ſale, any bread that ſhall not be ſo marked as aforeſaid, or that ſhall be wanting in due weight according to the direction of this act, he or they ſo offending, being thereof convicted by the confeſſion of the party, or by the oath of one or more credible witneſs or witneſſes, before any one or more juſtice or juſtices of the peace of the ſaid pariſh of Kingſton, or on the view of any one or more of the juſtices of the peace of the ſaid pariſh of Kingſton, ſhall, for every ſuch offence, for any bread found deficient in the mark or in weight, according to the aſſize of bread ſo to be ſet as aforeſaid, to the amount of one ounce or more, he, ſhe, or they, ſo offending, ſhall, for every ſuch offence, forfeit and pay the ſum of twenty ſhillings for every ounce of bread ſo wanting, and for every bread wanting any weight leſs than an ounce, the ſum of ten ſhillings; ſuch bread being weighed before a magiſtrate or juſtice of the peace of the ſaid town of Kingſton, or before any perſon by him or them appointed, within forty-eight hours after the ſame ſhall be baked or expoſed to ſale; the ſaid forfeiture and forfeitures to be given to the uſe of the informer or informers, if the party or parties ſo offending ſhall be convicted on information, and to the uſe of the poor of the ſaid pariſh of Kingſton, if the party or parties ſo offending ſhall be convicted on the view of any juſtice or juſtices of the peace as aforeſaid; to be recovered, by warrant from two of his majeſty's juſtices of the peace for the ſaid pariſh, by diſtreſs and ſale

who are to fix the price of bread.

Penalties on ſelling bread ſhort of weight.

Application of them,

and recovery.

ſale of the goods of ſuch perſon or perſons ſo offending; the overplus, if any be, to be returned to the owner thereof.

One juſtice and one veſtryman, attended by a conſtable, to go into any known bake-houſe to weigh the loaves;

XVII. And be it further enacted by the authority aforeſaid, That the juſtices of the peace and veſtrymen of the ſaid town of Kingſton, or any two of them (one of whom to be a juſtice of the peace), attended by a ſworn conſtable of the ſaid pariſh, ſhall and they are hereby directed, required, and empowered, once or oftener, in every month, to go into any known bake-houſe or bake-houſes, or other place where bread is made for ſale or expoſed to ſale, in the ſaid pariſh, between the hours of ſix of the clock in the morning and nine of the clock in the evening, for the purpoſe of weighing the loaves of bread made at ſuch bake-houſe; and in caſe ſuch juſtices of the peace and veſtrymen, or any two of them as aforeſaid, ſhall, on inſpecting and weighing the bread made at any ſuch bake-houſe or bake-houſes, or other place where bread is made for ſale or expoſed to ſale, find any bread deficient in the mark or in the weight, according to the aſſize of bread ſo to be ſet as aforeſaid, then, and in ſuch caſe, the ſaid juſtices of the peace and veſtrymen, or any two of them (one of whom to be a juſtice of the peace as aforeſaid), are hereby directed, required, and empowered, to ſeize all ſuch bread ſo found deficient in weight in any ſuch bake-houſe or bake-houſes as aforeſaid, or other place where bread ſhall be made for ſale or expoſed to ſale as aforeſaid, and to diſtribute the ſame, one half thereof to the pariſh-houſe of the ſaid town, and the other half to the public hoſpital; and the baker or bakers, or other perſon or perſons baking or making bread for ſale, or expoſing bread for ſale, ſo found offending as aforeſaid by ſuch juſtices and veſtrymen, or any two of them as aforeſaid, ſhall, for every ſuch offence, forfeit and pay the ſum of ten pounds, to the uſe of the poor of the ſaid pariſh of Kingſton; to be recovered, by warrant of two of his majeſty's juſtices of the peace for the ſaid pariſh, by diſtreſs and ſale of the goods of ſuch perſon ſo offending; the overplus, if any there be, to be returned to the owner thereof.

and ſeize any that are deficient in mark or weight.

Appropriation thereof.

Penalty of 10l. where bread ſo found.

XVIII. And whereas the laws now in being, relative to the nightly watch thereby directed to be kept in the ſaid town of Kingſton, have not been found ſufficient to anſwer the purpoſes aforeſaid, by means of the juſtices and veſtry of the ſaid town being limited in raiſing, by a tax on the inhabitants thereof for the ſupport of ſuch nightly watch, any ſum exceeding five hundred pounds *per annum*, which ſum is by no means adequate to that purpoſe; in conſequence whereof, many daring and flagrant robberies have lately been committed in the ſaid town, to the great prejudice and danger of the lives of the inhabitants: For the prevention of which evils for the future, Be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, the ſaid juſtices and veſtry of the ſaid town of Kingſton may, and they are hereby authorized, empowered, and required, to lay a juſt and equal tax, as well on the tranſient trading men

Juſtices and veſtry to lay an equal tax on tranſient traders and the inha-

bitants, for upholding the nightly watch.

men of the ſaid town as on the inhabitants thereof, once in every year, for the purpoſes of raiſing a ſufficient ſum of money for the duly upholding the ſaid nightly watch in the ſaid town, and the encouragement of the watchmen carefully to do their duty; which ſaid tax ſhall commence from the firſt day of January next, and be collected and levied in the ſame manner as the pariſh-tax is collected and levied, and paid into the hands of the churchwardens for the time being, to be applied to the payment of ſuch conſtables, and ſuch other perſons as the ſaid juſtices and veſtry ſhall think proper to employ as a nightly watch in the ſaid town.

Conſtables to take charge of the watch in turn as directed.

Juſtices, &c. to adjuſt their pay.

Penalty of 5*l.* on neglecting to take charge.

XIX. And, in order to prevent any conſtables refuſing to do his or their duty, or to take charge of the watch, it is hereby enacted by the authority aforeſaid, That each and every conſtable in the ſaid town ſhall, in their turns, take charge of the ſaid watch, as they ſhall be directed by the ſaid juſtices and veſtry, and ſhall receive as a gratuity for their trouble, ſuch ſum of money, for each night he or they ſhall ſo watch, as ſhall from time to time be directed by the ſaid juſtices and veſtry; which ſum ſhall be paid to them by the churchwardens for the time being: But in caſe any conſtable, ſo appointed, ſhall neglect or refuſe to take charge of the watch, and to do his duty as directed by the ſaid juſtices and veſtry, he or they, ſo neglecting or refuſing, ſhall forfeit, for every ſuch neglect or refuſal, the ſum of five pounds, current money of this iſland, for the uſe of the poor of the ſaid pariſh; to be recovered, by warrant from two of his majeſty's juſtices of the peace for the ſaid pariſh, by diſtreſs and ſale of the goods of ſuch conſtable or conſtables ſo neglecting or refuſing; the overplus, if any, to be returned to the owner thereof.

Regulations in the watch to be made by juſtices, &c.

XX. And be it further enacted by the authority aforeſaid, That the juſtices and veſtry of the ſaid town and pariſh of Kingſton ſhall, and they are hereby authorized, empowered, and required, from time to time, to make ſuch orders, regulations, and directions, for the better order and government of the ſaid nightly watch, in the ſaid town, as to them the ſaid juſtices and veſtry ſhall ſeem meet.

Tax to be laid on tranſient traders;

XXI. And whereas the tranſient trading men of the ſaid town and pariſh of Kingſton reap an equal benefit and advantage, during their reſidence, with the inhabitants in general of the ſaid pariſh; it is therefore juſt that the ſaid tranſient trading men of the ſaid town ſhould contribute, in proportion, to the payment of the parochial and other taxes of the ſame: Be it therefore enacted by the authority aforeſaid, That, from and after the paſſing of this act, the juſtices and veſtry of the ſaid town may, and they are hereby authorized, empowered, and required, to tax and aſſeſs, as well the tranſient trading men of the ſaid town, as the other inhabitants thereof, once every year, in as juſt and equal a proportion as poſſible, as well for the raiſing the parochial and other taxes of the ſaid town, as for the

the ſupport of the ſaid nightly watch, as aforeſaid; ſo as the ſum or ſums of money at which ſuch tranſient trading men ſhall be taxed or aſſeſſed, as aforeſaid, do not exceed, in the whole, the ſum of two pounds *per cent.* on the amount of their invoice; any thing in this or any former act to the contrary in anywiſe notwithſtanding.

not exceeding 40*s. per cent.* on their invoices.

XXII. And whereas the health of the inhabitants of the ſaid town hath been greatly endangered, by means of putrid proviſions having been from time to time expoſed to public ſale in the moſt public parts of the ſaid town: To remedy which inconvenience for the future, Be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, no perſon or perſons whoſoever ſhall ſell or expoſe to public ſale, in any of the ſtreets or lanes of the ſaid town, any putrid proviſions whatſoever, under the penalty of twenty pounds for every ſuch offence; one moiety whereof ſhall be for the ſupport of the poor of the ſaid pariſh, and the other moiety to the informer, or him who [*ſhall*] ſue for the ſame; to be recovered, in the ſupreme court of judicature of this iſland, by action of debt, bill, plaint, or information, wherein no eſſoin, protection, or wager of law, ſhall be granted or allowed, or *non vult ulterius proſequi* be entered; any thing in this or any other act to the contrary in anywiſe notwithſtanding.

Penalty of 20*l.* on offering putrid provisions for ſale;

XXIII. And be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, it ſhall and may be lawful to and for any one or more juſtice or juſtices of the peace of the ſaid town of Kingſton, on view of the ſelling or publicly expoſing to ſale of any putrid proviſions whatſoever, in any of the ſtreets or lanes of the ſaid town of Kingſton, forthwith to cauſe ſuch putrid proviſions to be ſeized, and immediately deſtroyed or burnt; any thing in this or in any former act to the contrary thereof in anywiſe notwithſtanding.

which any juſtice may order to be immediately burnt.

CAP. XX.

An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.—[22d December, 1781.]

EXPIRED.

CAP. XXI.

An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves, with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.—[22d December, 1781.]

EXPIRED.

CAP. XXII.

An act to explain and amend "An act for aſcertaining who ſhall compoſe future councils of war; and for ſubſiſting the militia in time of martial law; and for other purpoſes reſpecting the ſaid militia."—[22d December, 1781.]

EXPIRED.

CAP. XXIII.

EXPIRED. *An act to encourage the fitting out veſſels againſt the pickaroons and other veſſels of the enemy, infeſting the coaſts and coaſting trade of this iſland.*—[22d December, 1781.]

CAP. XXIV.

EXPIRED. *An act for explaining, amending, and rendering more effectual,* "*An act for amending and keeping in repair the road leading from St. Jago de la Vega, in the pariſh of St. Catherine, to St. Jago Plantation, in the pariſh of Clarendon; and for veſting in truſtees the toll raiſed by a turnpike on the ſaid road, for the purpoſes aforeſaid.*"—[22d December, 1781.]

CAP. XXV.

EXPIRED. *An act for amending and keeping in repair the road leading from Pepper Plantation, in the pariſh of St. Elizabeth, to Savanna-la-Mar, in the pariſh of Weſtmorland; and for veſting in truſtees the toll raiſed by a turnpike or turnpikes on the ſaid road, for the purpoſes aforeſaid.*—[22d December, 1781.]

CAP. XXVI.

EXPIRED. *An act for eſtabliſhing and declaring additional rules and articles of war.*—[3d March, 1782.]

CAP. XXVII.

EXPIRED. *An act for granting an additional ſubſiſtence to his majeſty's fourteenth regiment of foot, quartered in this iſland.*—[26th April, 1782.]

Anno regni Georgii tertii viceſimo tertio.

CAP. I.

EXPIRED. *An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.*—[7th December, 1782.]

CAP. II.

EXPIRED. *An act to enable his honour Archibald Campbell, eſquire, lieutenant-governor and commander in chief of this iſland, or the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time.*—[7th December, 1782.]

CAP. III.

EXPIRED. *An act for reviving and continuing, for a certain time,* "*An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes.*"—[7th December, 1782.]

CAP.

CAP. IV.

An act for appointing Stephen Fuller, esquire, an agent in Great-Britain, to solicit the passing of laws, and for transacting in Great-Britain other public affairs of this island; and for empowering certain members of the council and assembly, from time to time, as occasion shall require, to give instructions for such his management.—[7th December, 1782.] EXPIRED.

CAP. V.

An act for the further relief of insolvent debtors, imprisoned for debt.—[7th December, 1782.] EXPIRED.

CAP. VI.

An act for licensing hawkers and pedlars; and for applying the monies, to arise from granting such licenses, towards the support and maintenance of the poor of the parishes where such licenses are granted.—[7th December, 1782.] EXPIRED.

CAP. VII.

An act to give a recompense to persons that shall be unjustly vexed by writs of replevin.—[7th December, 1782.] EXPIRED.

CAP. VIII.

An act for rendering the navigation of the Black River, in the parish of St. Elizabeth, more safe and commodious; for keeping in repair the port and harbour of Gravesend, in the said parish; for regulating the mooring of ships in the said port and harbour; and to restrain all masters of ships or other vessels from heaving overboard ballast in the said port or harbour; and for vesting in trustees a piece or parcel of land, in the said parish of St. Elizabeth, to be sold for the use of the said parish, and for applying the money to arise from such sale to the purposes herein mentioned.—[7th December, 1782.]

WHEREAS the greatest part of the sugar and rum, and other articles, produced in the parish of St. Elizabeth, are conveyed to market in boats upon the Black River and other rivers in the said parish: And whereas the navigation in the said rivers is become difficult and dangerous, from their not having been properly cleaned, scoured, and ballasted: We, your majesty's most dutiful and loyal subjects, the assembly of Jamaica, most humbly beseech your majesty that it may be Preamble.

enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's ſaid iſland, and it is hereby enacted and ordained by the authority of the ſame, That, from and after the paſſing of this act, it ſhall and may be lawful for the juſtices and veſtry of the pariſh of St. Elizabeth, and they are hereby authorized and empowered, and required, on the day in every year in which they ſhall elect waywardens, to elect alſo four or more riverwardens, being perſons qualified as that they might or could be elected and intitled to act as waywardens, under the ſeveral acts of this iſland.

Juſtices and veſtry, when they elect waywardens, alſo to elect riverwardens.

II. And be it further enacted by the authority aforeſaid, That if the ſaid juſtices or [*and*] veſtry ſhall neglect to elect ſuch riverwardens on the day aforeſaid, then the juſtices in quarter-ſeſſions ſhall appoint ſuch riverwardens; any thing in any act or law to the contrary notwithſtanding.

If they neglect it, juſtices in ſeſſions to appoint them.

III. And be it further enacted by the authority aforeſaid, That no perſon whatſoever, reſident in the ſaid pariſh, ſhall be free or excepted [*exempted*] from being a riverwarden or ſurveyor of the rivers for the ſaid pariſh, provided he be not compelled or obliged to ſerve above once in three years, except ſuch perſons as are exempted from ſerving as waywardens: And that every perſon ſo choſen a riverwarden ſhall, within twenty days after notice in writing given him thereof by the clerk of the veſtry, get himſelf ſworn before ſome juſtice of the peace of the ſaid pariſh, diligently and faithfully to perform the ſaid office for the year enſuing, and give a juſt account to the juſtices and veſtry, if required, of what he ſhall receive, pay, or do, by virtue of his ſaid office, under the penalty of forfeiting fifty pounds: And the clerk of the veſtry of the ſaid pariſh refuſing or neglecting to give ſuch riverwarden notice in writing, either perſonally, or to be left at the dwelling-houſe of ſuch perſon, within five days after ſuch their election, he ſhall forfeit the ſum of twenty-five pounds: And every juſtice who ſhall, on application, refuſe to ſwear ſuch riverwarden, ſhall forfeit fifty pounds.

No exemption from ſerving as riverwarden, once in three years, unleſs alſo exempted from being waywardens.

They muſt qualify in due time, and render accounts, if required.

Clerk of veſtry to give notice to thoſe elected.

IV. And be it further enacted by the authority aforeſaid, That the juſtices and veſtry of the ſaid pariſh may, and they are hereby authorized and required, on the day in every year in which they lay a tax for repairing the highways, to lay alſo a tax of ſuch money, labour, or other things, as to them ſhall ſeem convenient and neceſſary, for the ſcouring, cleaning, and ballaſting, and rendering ſafe and commodious, the navigation of the rivers in the ſaid pariſh; which if the juſtices and veſtry ſhall not do, then every ſworn riverwarden ſhall make ſuch tax in writing for the river or rivers, or ſuch part of river or rivers, as he was elected for; which, being confirmed by any two juſtices in the ſaid pariſh, ſhall ſtand good till ſome complaint be made at the quarter-ſeſſions in the ſaid pariſh, and the juſtices then and there to confirm or alter the ſame, without appeal from thence.

Juſtices, &c. to lay a tax for rendering the navigation commodious.

If they neglect, riverwardens may aſſeſs for their diſtricts.

V. And

V. And be it further enacted by the authority aforeſaid, That every riverwarden who ſhall neglect to clean, ſcour, and ballaſt, the river or rivers, or the part of river or rivers, allotted him, or for which he was elected, for the ſpace of three months after ſuch his being ſworn and qualified, ſhall, upon the view of ſuch river or rivers by any two juſtices of the peace in the ſaid pariſh, forfeit the ſum of one hundred pounds.

Penalty of 100*l.* on riverwardens neglecting their duty three months.

VI. And be it further enacted by the authority aforeſaid, That the ſaid riverwardens may reſpectively iſſue their warrants, to the conſtable or conſtables of the ſaid pariſh, to warn in workers, or to levy money according to the tax or rate as aforeſaid: And every perſon who ſhall fail to ſend in the number of ſlaves, tools, or other inſtruments, allotted him as aforeſaid, ſhall forfeit, for every ſlave or tools or other inſtruments, as aforeſaid, ſo deficient or wanting, the ſum of three ſhillings *per diem*.

Riverwardens may order conſtables to warn in workers, &c.

Penalty on perſons not furniſhing their aſſeſſment.

VII. And be it further enacted by the authority aforeſaid, That the ſaid riverwardens reſpectively ſhall, and they are hereby obliged, under the penalty of ten pounds, within twenty days after any perſon or perſons refuſal or neglect to ſend his, her, or their, reſpective allotment of ſlaves or tools, repair to ſome juſtice of the peace in the ſaid pariſh, and, upon oath, or affidavit in writing made by the ſaid riverwarden or any other white perſon, which oath the ſaid juſtice is hereby empowered and required to adminiſter), give an account to the ſaid juſtice of the number of ſlaves and tools wanting or not ſent, and the perſon or perſons, owner or owners of the plantation or plantations, ſo neglecting and refuſing to ſend them: And the ſaid juſtice is hereby required, under the penalty of fifty pounds, to certify to the next juſtice the cauſe, and require him, by virtue of this act, to aſſociate himſelf to him (which ſuch laſt juſtice is hereby required ſo to do, under the penalty of fifty pounds for every neglect or refuſal); and they, ſo aſſociated, ſhall iſſue out their warrant, to ſummon the party or parties complained of to appear before them at a certain day, hour of the day, and place, to be mentioned in the ſaid warrant, to hear and determine the ſaid complaint: And if it ſhall appear to the ſaid juſtices, ſo aſſociated, that the party or parties ſo complained of is or are guilty of ſuch neglect or refuſal, they ſhall adjudge and ſentence the party or parties to pay the fine or fines impoſed by this act; and, on refuſal of the party or parties to pay the ſame immediately, they ſhall iſſue their warrant or warrants to the conſtable or conſtables, commanding them to levy the ſame, notwithſtanding the ſaid ſum do exceed forty ſhillings, by diſtreſs and ſale of the negroes, cattle, mules, and goods, of the perſon ſo offending, neglecting, or refuſing; to be paid to the riverwarden ſo complaining, to be by him expended in cleaning, ſcouring, and ballaſting, the part of the rivers for which he was elected.

Mode of procedure againſt ſuch defaulters.

VIII. And

No appeal from sentence of justices.

VIII. And be it further enacted by the authority aforesaid, That the sentence or judgment, passed by the justices in manner aforesaid, shall be conclusive and without appeal; any thing in any law to the contrary thereof in anywise notwithstanding: But in case it shall appear that the not sending such allotments of negroes, cattle, or tools, upon such rivers, proceeded from the wilful refusal or neglect of the overseer of such plantation, then, and in that case, such overseer shall pay to his master or employer all such monies as he shall pay or expend, or be put to by means thereof; and such master or employer may deduct the same out of the wages of such overseer.

If default is owing to overseer, he is to reimburse his employer's expences.

Riverwardens to return slaves they do not approve.

IX. And be it further enacted by the authority aforesaid, That in any dispute arising between the riverwarden or riverwardens and the party or parties allotted to send slaves on the said rivers, such riverwarden or riverwardens shall be made the sole judge of the ability of the slave or slaves so sent by the party or parties, and is and are hereby empowered to return all such slave or slaves as he or they shall not think sufficiently able to work on the rivers; and in case other slaves, sufficiently able, are not immediately sent to the rivers instead of those returned, the said riverwarden or riverwardens shall report the same in the complaint exhibited to the justices, as so many slaves and number of tools deficient.

If able ones not sent, the number to be reported deficient.

Although default arises from overseer, levy to be made on owner's property.

X. And be it further enacted by the authority aforesaid, That in case the default shall arise from the neglect of the overseer of the estate or plantation which shall be deficient in sending slaves on the river, as directed by this act, yet the levy shall be made by the constable or constables on the slaves and property of the proprietor or proprietors of the estate deficient; any thing in this act to the contrary thereof in anywise notwithstanding.

Riverwardens to lop and cut down trees, and remove all obstructions.

XI. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the said riverwardens, respectively, to cause the slaves employed on the said rivers to lop the boughs of any tree or trees that hang over the said rivers, and to remove any weir or weirs, or other matters, that may obstruct the navigation in the said rivers, and also to cut down any tree or trees that may obstruct the same, and to throw all [*such*] matters on the banks of the said rivers, above high-water mark.

Penalty of 100*l.* on wilfully interrupting the navigation, with trees, rubbish, &c. Recovery and application thereof.

XII. And be it further enacted by the authority aforesaid, That whosoever shall wilfully fell any trees, or cast or suffer the same to be cast, as also any cane-trash, or [*other*] rubbish whatsoever, into any of the said rivers, whereby the navigation thereof may be stopped or impeded, shall forfeit for every such offence, the sum of one hundred pounds; to be recovered, upon oath of one or more credible witness or witnesses, before any two justices of the peace for the said parish; one half thereof to be paid into the hands of the churchwardens of the said parish, to be expended in cleaning, scouring, and ballasting, the said rivers, in such manner as the justices

juſtices and veſtry ſhall direct, and the other moiety to the informer, or the perſon ſuing for the ſame; any law, cuſtom, or uſage, to the contrary notwithſtanding.

XIII. And whereas ſome perſons may withhold their ſlaves from working on the ſaid rivers, when required ſo to do by the ſaid riverwardens, on pretence that no veſtry can be legally choſen, unleſs the conſtable or conſtables do ſwear that every individual freeholder of the pariſh hath been warned, and on pretence that no veſtry can be legally held, without the conſtable or conſtables do ſwear that every individual magiſtrate and veſtryman was warned to attend on laying the tax for the ſaid rivers: To remedy which, Be it enacted by the authority aforeſaid, That no perſon whatſoever ſhall refuſe or neglect to ſend his ſlaves, tools, and other matters, allotted him to be employed on the ſaid rivers, when and where directed by the riverwardens appointed by the veſtrymen, on any ſuch pretences whatſoever.

No evaſion to excuſe the not ſending allotments.

XIV. And be it further enacted by the authority aforeſaid, That no negro, mulatto, or other ſlave, cattle or other ſtock, carts or wains, or others [*other matters*], ſhall be taken by the provoſt-marſhal, or any of his deputies, during the time ſuch negro, mulatto, or other ſlave, cattle or ſtock, carts or wains, or other matters, ſhall be working or be employed on the ſaid rivers, or in their going to or returning therefrom: The ſaid provoſt-marſhal, or his deputy or deputies, ſo offending, ſhall, for every ſuch offence, reſpectively forfeit the ſum of twenty pounds; and that, upon complaint made on oath, of ſuch levy made, before any magiſtrate, ſuch magiſtrate is hereby required, under the penalty of fifty pounds, forthwith to direct the provoſt-marſhal, or his deputy or deputies, to deliver ſuch levy to the owner or proprietor thereof.

Slaves, &c. employed on the rivers, not to be taken by the provoſt-marſhal.

Penalty on him for contravention.

Such levies to be returned.

XV. And be it further enacted by the authority aforeſaid, That the ſaid juſtices and veſtry may, and they are hereby authorized and empowered to, levy a tax on the ſaid pariſh, in the ſame manner as the ordinary taxes are raiſed, for the purchaſe of boats, drags, and other inſtruments, and for the hire of any perſon or perſons for working the ſame, which they may think neceſſary, for the more effectually cleaning, ſcouring, and ballaſting, the ſaid rivers; and they are hereby authorized to enter into and execute, from time to time, any contract or contracts that to them may ſeem neceſſary for the carrying this act into execution.

Juſtices, &c. may levy a tax for the purchaſe of boats, &c. and hire of perſons;

and they may enter into contracts.

XVI. And be it further enacted by the authority aforeſaid, That all penalties or forfeitures herein before mentioned, and not mentioned and expreſſed herein before how or where to be recovered, ſhall be recovered, adjudged, and impoſed, by any two juſtices of the ſaid pariſh; and be levied [*and collected*], by warrant under the hands and ſeals of two juſtices of the ſaid pariſh, by diſtreſs and ſale of ſuch diſtreſs; [*to the uſe and*] for the

Penalties how to be impoſed, collected, and diſpoſed of.

the cleanſing, ſcouring, and ballaſting, the ſaid rivers; any thing in this or any other act to the contrary notwithſtanding.

Rates to be paid by maſters of different veſſels arriving in the harbour of Gravesend.

XVII. And whereas, for the repairing and maintaining the port and harbour of Graveſend, and for regulating the mooring of ſhips and other veſſels trading thereto: Be it enacted by the authority aforeſaid, That the maſter or commander of all veſſels trading to the northward of the tropic of Cancer, which ſhall arrive in the ſaid port or harbour of Graveſend, ſhall pay into the hands of Hinton Eaſt, eſquire, the receiver-general, or the receiver-general for the time being, or his lawful deputy, the ſums herein after mentioned; that is to ſay, Every ſhip or three-maſt veſſel, the ſum of fifteen ſhillings; every brigantine, ſnow, or bilander, the ſum of ten ſhillings; and every ſloop or ſchooner, the ſum of ſeven ſhillings and ſix pence: And all veſſels trading between the tropics, which ſhall arrive in the ſaid port or harbour of Graveſend, ſhall pay half of the afore-mentioned ſum; that is to ſay, Every ſhip or three-maſt veſſel, the ſum of ſeven ſhillings and ſix pence; every brigantine, ſnow, or bilander, the ſum of five ſhillings; and every ſloop or ſchooner, the ſum of three ſhillings and nine pence.

No veſſels to be cleared out till the duties are paid, under penalty of 50l.

XVIII. And, to the intent that the ſaid duties may be duly paid, be it further enacted by the authority aforeſaid, That the receiver-general for the time being, or his lawful deputy, ſhall not clear out any ſhip or other veſſel, chargeable with the ſaid duties, till the ſaid duties be paid, on pain to forfeit, for every offence, the ſum of fifty pounds current money of Jamaica; to be recovered, in the ſupreme court of judicature of this iſland, by action of debt, bill, plaint, or information, wherein no eſſoin, protection, wager of law, or injunction, ſhall be granted or allowed, or *non vult ulterius proſequi* be entered; one moiety thereof ſhall be to his majeſty, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof, and the other moiety to the informer, or him, her, or them, who ſhall ſue for the ſame: Provided always, That in caſe the water-bailiff, appointed or to be appointed by virtue of this act, ſhall have left with the receiver-general, or the receiver-general for the time being, or his lawful deputy, before the clearing out of each veſſel, a certificate, from under the hand of the maſter or commanding officer of every ſuch veſſel reſpectively that arrives in the ſaid port or harbour of Graveſend, that he the ſaid water-bailiff, or ſome perſon for him, hath actually attended and performed his duty in mooring ſuch veſſels reſpectively, agreeable to the intentions of this act.

Unleſs water-bailiff ſhall not have left a certificate with receiver-general.

Every maſter, in three days after arrival, to ſign certificate that

XIX. And be it further enacted by the authority aforeſaid, That the maſter or commander of every veſſel that ſhall arrive in the ſaid port or harbour of Graveſend do and ſhall, within three days after the mooring of his ſhip or other veſſel, upon application made to him by the aforeſaid water-bailiff, or ſome perſon on his behalf, ſign ſuch certificate, under the penalty

malty of forty ſhillings in caſe of refuſal; to be recovered before any juſtice of the ſaid pariſh, on oath of the ſaid water-bailiff, or ſuch perſon acting in his behalf; one moiety whereof to be paid into the hands of the church-wardens for the time being, for the uſe of the poor of the ſaid pariſh, and the other moiety to be paid to the water-bailiff.

water-bailiff has performed his duty, under penalty.

XX. And, for applying the ſaid ſeveral ſums of money hereby made payable for the purpoſes aforeſaid, be it enacted by the authority aforeſaid, That it ſhall and may be lawful for the lieutenant-governor, or commander in chief for the time being, by inſtrument in writing under his hand and ſeal, at his pleaſure, to chooſe and appoint a water-bailiff, for the better and more orderly government of the ſaid port and harbour, and that all ſuch ſhips and veſſels may anchor and moor in proper and regular manner and places, with ſuch ſalary as he, by inſtrument in writing, under his hand and ſeal, ſhall appoint, ſo as ſuch ſalary do not exceed the money to be raiſed by this act; and ſuch water-bailiff at his will and pleaſure to remove.

Commander in chief may appoint a water-bailiff, for regulation of the harbour;

XXI. And be it further enacted by the authority aforeſaid, That the perſon or perſons, ſo appointed water-bailiff by the lieutenant-governor, or commander in chief for the time being, ſhall, and he is hereby obliged, perſonally to attend the duty required of him by this act, under the penalty of twenty pounds for every neglect of duty; to be levied by warrant under the hands and ſeals of the commiſſioners herein-after appointed, or any three of them, to be directed to any conſtable or conſtables of the ſaid pariſh; unleſs it ſhall appear, by a certificate ſworn to before any juſtice of the peace, by the ſurgeon, apothecary, or phyſician attending him, that ſickneſs is the cauſe thereof, and does ſo prevent his [*attending his*] duty, as aforeſaid.

who must, under penalty, perſonally attend his duty,

unless his ſickness is attested.

XXII. And be it further enacted by the authority aforeſaid, That, out of the monies to ariſe by virtue of this act, the receiver-general for the time being, or his lawful deputy, ſhall pay all the orders which ſhall, from time to time, be given upon him by the lieutenant-governor, or commander in chief for the time being, for paying the ſalary he ſhall or may agree to pay ſuch officer, as aforeſaid, and for defraying all other expences which ſhall or may be incurred for effecting the purpoſes aforeſaid: And the ſaid water-bailiff, ſo appointed, ſhall from time to time be ſworn before the commiſſioners herein-after to be named, or any three of them, juſtly and indifferently, without partiality or affection, to execute the office according to the ancient uſage or cuſtom of Great-Britain.

Application of monies arising by means of this act.

Water-bailiff to be sworn to act impartially.

XXIII. And be it further enacted by the authority aforeſaid, That if the ſaid water-bailiff, by ignorance or negligence, ſhall moor any veſſel ſo as thereby any damage ſhall ariſe, the ſaid water-bailiff ſhall be liable to make good the ſame, by bill, plaint, or information, to be brought or proſecuted

He is to make good damage arising from ignorance or negligence.

Who may not be water-bailiffs.

ſecuted in the ſupreme court of judicature of this iſland: Provided, That no perſon who is a commiſſioner, or wharfinger, ſhall be appointed a water-bailiff, by virtue of this act.

Diſputes about mooring veſſels to be ſettled by commiſſioners; whoſe directions water-bailiff is to follow.

XXIV. And be it further enacted by the authority aforeſaid, That in caſe any differences or diſputes ſhall ariſe, concerning the mooring of any ſhips or veſſels directed by this act, that then, and in ſuch caſe, the ſame ſhall be ſettled and adjuſted by the commiſſioners herein-after appointed, or any three of them: And the ſaid water-bailiff, ſo to be appointed, is hereby required to follow all ſuch directions, under the penalty of twenty pounds for each offence; to be levied by warrant under the hands and ſeals of the ſaid commiſſioners, or any three of them, to be directed to any conſtable or conſtables of the ſaid pariſh.

Commiſſioners appointed.

XXV. And be it further enacted by the authority aforeſaid, That John Watſon, eſquire, and the *cuſtos rotulorum* of the ſaid pariſh for the time being; the preſent repreſentatives in aſſembly for the ſaid pariſh, and the repreſentatives in aſſembly for the ſaid pariſh for the time being; the preſent churchwardens of the ſaid pariſh, and the churchwardens of the ſaid pariſh for the time being; and the preſent juſtices and veſtrymen of the ſaid pariſh, and the juſtices and veſtrymen of the ſaid pariſh for the time being; are hereby appointed commiſſioners for carrying this act into execution.

No ballaſt to be thrown overboard, but where water-bailiff directs, under penalty of 50*l.* Recovery and application thereof.

XXVI. And whereas a practice hath prevailed of heaving ballaſt out of ſhips and veſſels into the ſaid harbour, to the great detriment and injury of the ſaid port or harbour: For remedy whereof, and to prevent the like practices for the future, Be it therefore enacted by the authority aforeſaid, That, during the continuance of this act, no perſon whatſoever ſhall heave or throw overboard, out of any ſhip or veſſel, any ſtones, gravel, ſand, or other ballaſt, into the ſaid port or harbour, but in ſuch place as the ſaid water-bailiff ſhall appoint for throwing the ſame, under the penalty of fifty pounds; to be recovered, upon the oath of one or more credible witneſs or witneſſes, before any two juſtices of the peace of the ſaid pariſh; one moiety whereof to be paid into the hands of the churchwardens, for the uſe of the poor of the ſaid pariſh, and the other moiety to the informer or perſon ſuing for the ſame.

XXVII. And whereas the inhabitants of the ſaid pariſh of St. Elizabeth are poſſeſſed of, and intitled unto, a certain piece or parcel of land at Black River, in the ſaid pariſh, containing about one third of half an acre of land, with a tenement and buildings thereon, and now or late in the tenure or occupation of William Gauntlett: And whereas the ſaid land and buildings are of no great benefit to the ſaid pariſh, but, were the ſame ſold and diſpoſed of, money may be raiſed for defraying the charges which the pariſh and preſent incumbent have been put unto in repairing the ſaid build-

ings,

ings, and alſo to purchaſe mountain-land, contiguous to the glebe, for raiſing proviſions for the ſupport of the negroes belonging to the parſonage of the ſaid pariſh; which ſale cannot be effectually made without the aid and aſſiſtance of the legiſlature: Be it therefore enacted by the authority aforeſaid, That the ſaid piece of land and premiſes be, and the ſame are hereby, veſted in John Watſon, eſquire, and the cuſtos of the ſaid pariſh for the time being, and the preſent repreſentatives in aſſembly for the ſaid pariſh, and the repreſentatives in aſſembly for the ſaid pariſh for the time being, and their heirs and aſſigns, for ever; upon this ſpecial truſt and confidence, nevertheleſs, and to the intent and purpoſe, [*that*] the ſaid John Watſon, eſquire, and the cuſtos of the ſaid pariſh for the time being, and the preſent repreſentatives in aſſembly for the ſaid pariſh, and the repreſentatives in aſſembly for the ſaid pariſh for the time being, or any two of them, ſhall or may, by any deed or deeds in the law, duly ſealed and delivered by them, or any two of them, abſolutely grant, bargain, ſell, convey, and confirm, the ſaid piece or parcel of land and buildings thereon, with the premiſes ſo as aforeſaid hereby veſted in them, their heirs and aſſigns, and the fee-ſimple and inheritance, unto one or more purchaſer or purchaſers, for the beſt price that can be got for the ſame; which the ſaid John Watſon, eſquire, and the cuſtos of the ſaid pariſh for the time being, and the preſent repreſentatives in aſſembly for the ſaid pariſh, and the repreſentatives in aſſembly for the ſaid pariſh for the time being, or any two of them, are hereby enabled, authorized, and empowered, to grant, bargain, ſell, and convey, as aforeſaid; and the heirs and aſſigns of ſuch purchaſer or purchaſers ſhall and may ſecurely hold and enjoy the ſaid land and premiſes, with the appurtenances, by virtue of this act.

Certain land belonging to the inhabitants of St. Elizabeth veſted in truſtees, to be ſold.

Title given by them to be effectual.

XXVIII. And be it further enacted by the authority aforeſaid, That all and every the receipt and receipts, which ſhall be given by the ſaid truſtees herein before named, or any two of them, for the ſale of the ſaid land and premiſes, ſo as aforeſaid veſted in ſuch purchaſer or purchaſers, for the purchaſe-money which ſhall be actually paid for the ſame, ſhall be good and ſufficient diſcharges, both in law and equity, to ſuch purchaſer or purchaſers for the ſame.

Their receipts a good diſcharge to purchaſers.

XXIX. And be it further enacted by the authority aforeſaid, That the ſaid truſtees herein before named, or any two of them, do and ſhall, and they are hereby directed and required, in the firſt place, to pay and apply ſo much of the money ariſing from ſuch ſale in diſcharge of the monies laid out by the pariſh and the incumbent, in the repairing of the buildings on the ſaid land, provided that the ſame ſhall meet with the convenience [*concurrence*] of the juſtices and veſtry of the ſaid pariſh; and that the reſidue of the money ariſing from ſuch ſale be applied in the purchaſe of mountain-land, in the ſaid pariſh of St. Elizabeth, for the uſe and benefit of the preſent incumbent and his ſucceſſors, for proviſion-ground for the

Money ariſing from ſuch ſale, how to be applied.

negro ſlaves belonging to the parſonage of the ſaid pariſh; any law' cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

CAP. IX.

An act for veſting in trustees a certain piece or parcel of land, ſituate in the parish of St. Mary, whereon a barrack has been built, and directed to be kept in repair by the parish of St. Thomas in the Vale; for enabling the trustees to sell and diſpoſe of the same, and, with the monies arising from such sale, to purchase land and build a barrack in the said parish of St. Thomas in the Vale; and for other purposes.—[7th December, 1782.]

Preamble.

Recited act is expired.

WHEREAS, in and by an act of the preſident, council, and aſſembly of this iſland, entitled, *An act for the better ſettling and ſecuring the iſland, and veſting ſeveral parcels of land in the crown; and for building of barracks; and fitting out of parties for the reducing the rebellious negroes; and cutting of roads*, paſſed in the year of our Lord one thouſand ſeven hundred and thirty-five, it is, among other things, enacted, That two thouſand acres of land ſhould be and are thereby veſted and ſettled in his majeſty, his heirs and ſucceſſors, to lie near and contiguous, if poſſible, to the barrack to be built at Bagnall's Thickets; and alſo, that for the better aſcertaining the reſpective bounds of the ſaid land, ſo veſted or to be veſted in his majeſty as aforeſaid, a re-ſurvey of the ſame be begun and proceeded upon, by any ſworn ſurveyor or ſurveyors, within one month, and finiſhed within two months, from the paſſing of the ſaid act, which re-ſurvey ſhould be returned, under the hand and ſeal or hands and ſeals of the ſaid ſurveyor or ſurveyors, into the ſecretary's office of this iſland, within three months after finiſhing thereof, and there recorded, and the record thereof ſhould be concluſive, and aſcertain the bounds of the ſaid land; and alſo, that a good ſubſtantial barrack or defenſible houſe ſhould be forthwith built, on the moſt convenient part of the ſaid land ſo veſted in his majeſty, his heirs and ſucceſſors, at Bagnall's Thickets; and alſo, that the juſtices and veſtry of St. Thomas in the Vale and St. Mary ſhould allot one negro out of every hundred, to the erecting of the ſaid barrack at Bagnall's Thickets; as in and by the ſaid act may more fully appear: And whereas, by one other act of the preſident, council, and aſſembly of this iſland, entitled, *An act for the eaſe and relief of the inhabitants of this iſland, in building barracks; and remedying and ſupplying ſome defects and omiſſions in the late barracking law*, paſſed in the year of our Lord one thouſand ſeven hundred and thirty-ſix, it is alſo, among

Recited act is expired.

among other things, enacted, That the ſaid pariſh of St. Mary ſhould be exempted and excuſed from ſending any negroes to ſupport or build the ſaid barrack at Bagnall's Thickets: And whereas, in and by one other act of the lieutenant-governor, council, and aſſembly of this iſland, entitled, *An act to oblige the juſtices and veſtrymen of ſeveral pariſhes in this iſland to build, repair, and keep in repair, barracks, magazines, and arſenals, in their reſpective pariſhes*, paſſed in the year of our Lord one thouſand ſeven hundred and ſixty, it is, among other things, enacted, That the juſtices and veſtry of the pariſh of St. Thomas in the Vale are thereby obliged and required to repair completely, and put in good order, the barrack in the pariſh of St. Mary, at a place called Bagnall's; as in and by the ſaid laſt-mentioned act may more fully appear: And whereas the ſaid barrack, being ſituate in the pariſh of St. Mary, can be of no uſe or protection to the pariſh of St. Thomas in the Vale, but, on the contrary, is a burthen to it: And whereas all the ſaid two thouſand acres of land, ſo veſted in his majeſty, have been granted to perſons who have ſettled thereon, except ſixty-one acres, which have been reſerved to be uſed with the ſaid barrack: And whereas it will be more beneficial and advantageous to the ſaid pariſh of St. Thomas in the Vale, that the ſaid ſixty-one acres of land, whereon the ſaid barrack is built, ſhould be veſted in truſtees, to enable them to ſell and diſpoſe of the ſame, and, with the monies to ariſe from ſuch ſale, to purchaſe land and build a barrack in the ſaid pariſh of St. Thomas in the Vale; and, in caſe the money ſo ariſing from ſuch ſale ſhould not be ſufficient for the purpoſes aforeſaid, that the ſaid juſtices and veſtry ſhould be enabled to raiſe a tax on the inhabitants of the ſaid pariſh, in aid of the ſame: May it therefore pleaſe your moſt excellent majeſty, upon the humble petition of the juſtices and veſtry of the ſaid pariſh of St. Thomas in the Vale, that it may be enacted, and be it enacted by the lieutenant-governor, council, and aſſembly, of the ſaid iſland, and it is hereby enacted and ordained by the authority of the ſame, That the ſaid piece or parcel of land, ſituate, lying, and being, in the ſaid pariſh of St. Mary, in the county of Middleſex, and iſland aforeſaid, and containing by eſtimation ſixty-one acres, more or leſs, butting and bounding eaſterly on Rio-Nova river; northerly on Hugh Charlton, now in the poſſeſſion of Fitzherbert Richards, eſquire; weſterly on land formerly belonging to George Reid ſenior, now in the poſſeſſion of the ſaid Fitzherbert Richards; and ſoutherly on land formerly belonging to the ſaid George Reid ſenior, now in the poſſeſſion of Francis Dennis, eſquire; be veſted in the juſtices and veſtry of the ſaid pariſh of St. Thomas in the Vale for the time being, and the ſame is hereby veſted accordingly; and they, and each and every of them, are hereby nominated and appointed truſtees to diſpoſe of and ſell the ſaid piece or parcel of land to the beſt bidder, and for the moſt money that can be got; and they the ſaid truſtees, or any three or more of them, one whereof to be a juſtice, are hereby fully authorized and empowered to diſpoſe of and ſell the ſaid piece or parcel of land, and, by deed under their

1 Geo. III. cap. 19.

Recital of part of clauſe 3 of the above act.

Sixty-one acres of land in St. Mary's veſted in juſtices and veſtry of St. Thomas in the Vale.

who are appointed truſtees for the ſale thereof.

their hands and ſeals, or the hands and ſeals of any three or more of them, one whereof to be a juſtice as aforeſaid, to convey the ſaid premiſes, to be held in fee-ſimple, to any perſon or perſons who ſhall purchaſe the ſame; and that, until ſuch deed can be made and executed as aforeſaid, that ſuch purchaſer or purchaſers of the ſaid premiſes, paying or ſecuring to be paid the conſideration-money, [*and*] taking a receipt for the ſame from the ſaid truſtees, or any three or more of them, one whereof to be a juſtice as aforeſaid, ſhall have a good and ſufficient title againſt his majeſty, his heirs and ſucceſſors; any thing heretofore to the contrary notwithſtanding.

Truſtees to purchaſe lands in St. Thomas in the Vale, and erect a barrack thereon.

1 *Geo.* III. *cap.* 19.

II. And be it further enacted by the authority aforeſaid, That the juſtices and veſtry as aforeſaid, or any three or more of them, one whereof to be a juſtice, are hereby authorized, empowered, and enabled, with the money to ariſe from the ſale of the ſaid piece or parcel of land, to purchaſe lands in the ſaid pariſh of St. Thomas in the Vale, and to erect buildings thereon, to be uſed as a barrack for the reception of ſoldiers, and to be kept in repair [*as*], agreeable to the herein-before mentioned *Act to oblige the juſtices and veſtrymen of ſeveral pariſhes in this iſland to build, repair, and keep in repair, barracks, magazines, and arſenals; in their reſpective pariſhes*, paſſed in the year of our Lord one thouſand ſeven hundred and ſixty, they were obliged to do in the pariſh of St. Mary, and to and for no other uſe, intent, or purpoſe whatſoever.

Such lands and buildings veſted in the truſtees.

III. And be it further enacted by the authority aforeſaid, That ſuch piece or parcel of land ſo to be purchaſed, and the erections and buildings thereon to be erected and built, ſhall be, and the ſame are hereby, veſted in the juſtices and veſtry of the ſaid pariſh of St. Thomas in the Vale, as aforeſaid, for the time being, and for the purpoſes aforeſaid, and to and for no other uſe, intent, or purpoſe whatſoever.

If proceeds not ſufficient for the above purpoſes, juſtices and veſtry may raiſe more by a tax.

IV. And be it further enacted by the authority aforeſaid, That, in caſe the money to ariſe by the ſale of the ſaid piece or parcel of barrack land ſhall not be ſufficient for the purpoſe of purchaſing lands in the ſaid pariſh of St. Thomas in the Vale, and the building barracks, magazines, and arſenals, for the reception of ſoldiers, as aforeſaid, and the keeping ſuch barracks in repair, it ſhall and may be lawful for the juſtices and veſtry, in veſtry aſſembled, to raiſe a reaſonable tax, from time to time, on the inhabitants of the ſaid pariſh, for the purpoſes aforeſaid, and to cauſe the ſame to be collected and levied in the ſame manner as the parochial taxes are collected and levied; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

CAP. X.

An act to vest certain lands, situate, lying, and being, in the parish of St. Mary, in the justices and vestrymen of the said parish, and the justices and vestrymen of the said parish for the time [being,] *for the use of the poor of the said parish; and to enable the justices and vestrymen of the said parish, for the time being, to maintain or defend any suit or suits, at law or in equity, for recovery of the same, or any part thereof, and to make leases of the said land, or any part thereof, for the use of the poor of the said parish.*

[7th December, 1782.]

Preamble.

WHEREAS Thomas Manning, late of the parish of Westmorland, planter, deceased, being seised and possessed of a certain piece or parcel of land, situate, lying, and being, in the parish of St. Mary, in this island, did, in and by his last will and testament, bearing date the twenty-eighth day of October, which was in the year of our Lord one thousand seven hundred and ten, give, devise, and bequeath, unto his trusty friends Rowland Williams, gentleman, captain George Goodin, doctor Hugh Kirkpatrick, and William Dorrill, and their several heirs, for the use and trust therein mentioned, for ever, ninety acres of land in the said parish of St. Mary, bounding upon or near the land of Morgan Byndloss, that is to say, for the use of the poor people inhabiting in that parish, to be letten, laid out, or otherwise improved, for the best advantage and benefit of the said poor, as the vestry in that parish, in their discretion, shall think proper; and whatever order the said vestry should make for the disposal of the said land, for the uses aforesaid, his will was, that the same be as effectual as if it were mentioned in his said last will and testament; as in and by the said last will and testament, duly proved and of record in the secretary's office of this island, may more fully appear: And whereas all the said trustees are since dead, and their heirs being in some of the remote parishes of this island, the vestry of the said parish of St. Mary are put to great difficulties in letting the said land, for the purposes in the said will mentioned, and it will tend greatly to the benefit and advantage of the poor of the said parish if the said land was vested in trustees residing in the said parish of St. Mary, for the purposes aforesaid: May it therefore please your most excellent majesty, at the humble suit of the justices and vestry of the said parish of St. Mary, that it may be enacted, and be it enacted by the lieutenant-governor, council, and assembly, of the said island, and it is hereby enacted and ordained by the authority of the same, That the said piece or parcel of land, containing ninety acres, be the same more or less, and butting and bounding northerly on William Christopher

Ninety acres of land, left by the will of

Thomas Manning to the poor of St. Mary's, vested in the justices and vestry of that parish,

Chriſtopher and captain Joachim Haines, ſouth-eaſt on Robert Jenny, ſouth on Thomas Bourden, and ſouth-weſt on Florentina Fry and Henry Hodges, be, and the ſame are hereby, veſted in the preſent juſtices and veſtrymen of the ſaid pariſh of St Mary, or the juſtices and veſtrymen of the ſaid pariſh for the time being, to and for the uſe of the ſaid pariſh, agreeable to the true intent and meaning of the donor of the ſaid land.

who are, for ſuch purpoſe, made a body corporate,

and empowered to grant leases thereof, not exceeding ſeven years.

II. And be it further enacted by the authority aforeſaid, That the ſaid juſtices and veſtrymen, and the juſtices and veſtrymen of the ſaid pariſh of St. Mary for the time being, and their ſucceſſors, ſhall, and they are hereby declared to, be a body corporate, for the purpoſes herein mentioned, and no further; and they and their ſucceſſors, juſtices and veſtrymen of the ſaid pariſh, or the majority of them preſent, ſhall, from and after the paſſing of this act, when duly ſummoned and met in veſtry, and not otherwiſe, have full power and lawful authority, from time to time, to demiſe, leaſe, and to farm let, the ſaid land, or any part thereof, for any term not exceeding ſeven years, at ſuch annual rent as they ſhall think proper.

Their corporate powers,

and name.

III. And be it further enacted by the authority aforeſaid, That the juſtices and veſtrymen of the ſaid pariſh for the time being, and their ſucceſſors, or the majority of them, ſhall have full power and authority, by the name of THE JUSTICES AND VESTRY OF THE PARISH OF ST. MARY, to ſue and be ſued, implead and [*be*] impleaded, to anſwer and be anſwered unto, in all manner of courts and places that now are or ſhall hereafter be in this iſland, in all manner of ſuits whatſoever, or of what nature or kind ſoever ſuch ſuits or actions be or ſhall be, relating to the ſaid land, or for recovery of any debts, dues, legacies, or bequeſts, which are or ſhall be due or left and bequeathed to and for the benefit of the ſaid pariſh, in as ample a manner and form, and to all intents, conſtructions, and purpoſes, as any perſon or perſons, bodies politic and corporate in the realm of England, being able perſons in the law, may do; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Proceeds to be applied to the ſupport of the poor of St. Mary's.

IV. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the ſaid juſtices and veſtrymen of the ſaid pariſh of St. Mary, from time to time, to apply all the rents, iſſues, and profits, of the ſaid land, towards ſupporting the poor of the ſaid pariſh; and in caſe there ſhould be any ſurpluſage remaining of the ſaid annual rents, then the ſame ſhall be applied towards diſcharging the contingent charges of the ſaid pariſh.

CAP. XI.

EXPIRED.

An act for laying a duty on tonnage, and applying the ſame to the uſe of forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue

to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations.—[7th December, 1782.]

CAP. XII.

An act for applying the ſurpluſage of the money that ſhall ariſe by virtue of "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," to certain uſes.—[7th December, 1782.] EXPIRED.

CAP. XIII.

An act for quieting to purchasers, and those claiming under them, the possession of negro and other slaves purchased under writs of venditioni; *and for other purposes.*

[21ſt December, 1782.]

Preamble.

WHEREAS, on account of the precarioufneſs and uncertainty of the title to negro and other ſlaves, levied upon and ſold under writs of *venditioni exponas*, much evil, loſs, and damage, have ariſen, and do daily ariſe, as well to the plaintiffs and defendants in ſuch writs as to the purchaſer or purchaſers of ſuch ſlaves; the ſaid ſlaves moſt commonly ſelling conſiderably under their real value, and the purchaſer or purchaſers being, in many caſes, liable not only to loſe the purchaſe-money, but alſo to pay a conſiderable ſum of money for the rent or hire of ſuch ſlaves: For remedy and prevention whereof, May it pleaſe your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That, from and after the paſſing of this act, all poſſeſſors of any negro, mulatto, or other ſlave or ſlaves, by virtue of any ſale or ſales upon writ or writs of *venditioni exponas*, or other writ or proceſs of law, by the provoſt-marſhal or any of his lawful deputies, or the iſſue and increaſe of any ſuch ſlave or ſlaves, and who have been in the peaceable poſſeſſion, without ſuit, claim, or interruption, for the ſpace of ſeven years next before the making of this act, or ſhall continue in ſuch peaceable poſſeſſion from the firſt poſſeſſing of the ſame, by themſelves or thoſe under whom they claim, for and during the ſpace of ſeven years, ſhall have, hold, and enjoy, the ſame in fee-ſimple againſt all perſons whatſoever, and give this act in evidence, or plead it in bar, in or to any replevin, or other ſuit or ſuits, to be maintained or brought againſt him, her, or them, by any perſon or perſons whatſoever, and againſt all and every claim and demand whatſoever; Provided nevertheleſs, That infants, women under coverture, perſons of *nonſane* mind and memory, and perſons out of this iſland, ſhall have liberty, by themſelves,

Purchaſers of ſlaves under writs, holding them ſeven years, ſecured in their title.

Exceptions for incapable perſons.

ſelves, their agents, or attornies, to commence their actions in replevin for ſuch negro or other ſlaves, or the iſſue or increaſe of any ſuch negro or other ſlaves, within ſuch times after the diſability removed as are reſpectively herein after limited; that is to ſay, Infants, within five years after they come to the age of twenty-one years; women under coverture, within five years after the death of their immediate huſbands; perſons of unſound mind or memory, within five years after they become of ſound minds and memories; and perſons of full age out of this iſland, within five years from the time of ſuch ſale or purchaſe; or otherwiſe ſuch perſons are hereby declared to be barred for ever, according to the true intent and meaning of this act; any law, cuſtom, or uſage, to the contrary notwithſtanding: Provided always, That nothing in this act ſhall extend, or be conſtrued to extend, to bar the rights of any perſon or perſons intitled in reverſion, remainder, or expectancy; but that all and every ſuch perſon or perſons, ſo intitled in reverſion, remainder, or expectancy, ſhall be at liberty to proſecute ſuch rights within five years after his, her, or their title ſhall accrue.

If actions brought in ſtated times after they become capable.

Titles in reverſion not barred hereby.

II. And be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, no perſon or perſons whatſoever, who have or hath been, for the ſpace of twelve months next before the paſſing thereof, in the peaceable poſſeſſion, without ſuit, claim, or interruption, of any negro, mulatto, or other ſlave or ſlaves, or of the iſſue or increaſe of any ſuch ſlave or ſlaves, or who ſhall, at any time or times hereafter, hold or poſſeſs any ſuch ſlave or ſlaves, or the iſſue of any ſuch ſlave or ſlaves, by virtue of any ſale or ſales upon writ or writs of *venditioni exponas*, or other writ or proceſs of law, by the provoſt-marſhal or any of his lawful deputies, or by deſcent, marriage, or purchaſe, for valuable conſideration, ſhall be liable to pay any hire, rent, or other ſatisfaction, by way of meſne profits, for any ſuch ſlave or ſlaves, for the time or times he, ſhe, or they, held or poſſeſſed the ſame, or for any part thereof; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

No hire to be paid for ſlaves ſo purchaſed, if held twelve months.

CAP. XIV.

An act to remedy the evils arising to mortgagees and mortgagers, by the removal of ſlaves, mules, cattle, ſtock, and plantation utenſils, under mortgage, and levied on junior writs of venditioni; *and for other purpoſes.*

[21ſt December, 1782.]

Preamble.

WHEREAS much evil and diſtreſs have ariſen, and do daily ariſe, to mortgagees and other creditors, mortgagers and other debtors, by reaſon of levies being made, by the provoſt-marſhal and his deputies, on negro and other ſlaves, mules, cattle, ſtock, waggons, wains, and other carriages, and plantation utenſils, which are ſubject to mortgages

mortgages and other incumbrances, prior to the writ or writs on which ſuch levies is or are made, by taking and removing ſuch levy or levies off the eſtate or eſtates, property or properties, to which the ſame belong, in hopes thereby to enforce payment; but the contrary effect muſt, and is well known to, be the conſequence of ſuch proceedings, and to tend only to the manifeſt injury of the mortgagee and mortgager, and to the utter ruin of the defendant or defendants, debtor or debtors, in ſuch caſes, and to the prejudice of his or their creditors: And whereas alſo, by the preſent practice of trying replevins, brought by the mortgagee or mortgagees, or other perſons claiming under prior incumbrances, againſt the deputy-marſhal, for negro or other ſlaves, cattle, ſtock, waggons, wains, or other carriages, plantation utenſils or other implements, ſo under mortgage or other prior incumbrance, and levied upon as aforeſaid, it is neceſſary, in caſe ſuch replevin or replevins is or are pleaded to, and a defence taken in the name of the deputy-marſhal, that the negro or other ſlaves, cattle, ſtock, waggons, wains, or other carriages, plantation utenſils or implements, ſhould be produced at the trial, in order not only to prove their identity, but that they may be delivered over to the marſhal to be ſold; by reaſon of which practice, great and many inconveniencies, loſſes, damages, and expences, do accrue and ariſe to the eſtate or eſtates, property or properties, to which the ſame belong: And whereas, by the death, abſence from the iſland, and frequent removal, of overſeers and other white ſervants, reſident upon eſtates or plantations at the time or times of ſuch mortgage or mortgages, or other prior incumbrance or incumbrances, being made, and who could prove the identity of the mortgaged premiſes, it is, in many caſes, totally out of the power of ſuch mortgagee or mortgagees, or other perſon or perſons claiming under prior incumbrance or incumbrances, to prove ſuch identity; whereby he, ſhe, or they, is or are diſabled from recovering, or eſtabliſhing his, her, or their title, under ſuch mortgage or prior incumbrance, and is or are deprived of ſo much of his, her, or their, ſecurity or property contained in the ſaid replevin, the identity of which he, ſhe, or they, cannot prove as aforeſaid: For remedy and prevention whereof, May it pleaſe your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and declared by the authority of the ſame, That, from and after the paſſing of this act, the provoſt-marſhal, or his deputy or deputies, ſhall not remove or carry away, off or from any eſtate or eſtates, plantation or plantations, property or properties, any levy or levies which he or they, or any of them, ſhall or may make of or on any negro or negroes, or other ſlave or ſlaves, mule or mules, cattle, ſtock, waggon, wain, or other carriage, plantation utenſil, or implement of planting: Provided, The defendant or defendants in the writ or writs on which ſuch levy or levies is, are, or ſhall be, made, his, her, or their overſeer or overſeers, attorney or attornies, truſtee or truſtees, executors, adminiſtrators, or other repreſentative or repreſentatives, or the mortgagee or mortgagees,

Slaves, cattle, implements, &c. levied on, not to be removed from properties,

if, within five days after levy made, they are attested to be ſubject to

prior incumbrances,

mortgagees, or other perſon claiming title to ſuch levy or levies in virtue of ſome mortgage or other prior incumbrance, his, her, or their overſeer or overſeers, attorney or attornies, truſtee or truſtees, executors, adminiſtrators, or other repreſentatives, do and ſhall, within five days after ſuch levy or levies ſo made, produce and ſhew to the provoſt-marſhal, or his deputy or deputies making ſuch levy or levies, a docket, duly atteſted, of ſuch mortgage or other incumbrance, together with an affidavit of ſuch defendant or defendants, his, her, or their overſeer or overſeers, attorney or attornies, truſtee or truſtees, executors, adminiſtrators, or other repreſentative or repreſentatives, or of the mortgagee, or other perſon claiming title to ſuch levy or levies in virtue of ſuch mortgage or other prior incumbrance, his, her, or their overſeer or overſeers, attorney or attornies, truſtee or truſtees, executors, adminiſtrators, or other repreſentative or repreſentatives (ſuch affidavit to be ſworn before any of the judges, or any juſtice of the peace), that to the beſt of his, her, or their knowledge, information, and belief, ſuch negro or negroes, or other ſlave or ſlaves, mule or mules, cattle or ſtock, waggon, wain, or other carriage, plantation utenſil, or implement of planting, whereon ſuch levy or levies is, are, or ſhall be, made, is or are comprized and included in ſuch mortgage or other incumbrance, a docket or dockets whereof ſhall be ſo produced as aforeſaid, or is or are the increaſe of the ſame, and that ſuch mortgage or mortgages, or other incumbrance or incumbrances, is or are prior to the execution or executions on which the writ or writs iſſue or iſſues whereon the levy or levies is, are, or ſhall be, made; which affidavit ſhall be in the form following; that is to ſay,

(which atteſtation is to be in this form).

I, *A. B. of the pariſh of in the ſaid iſland, owner, (overſeer, truſtee,* &c. as the caſe may be), *do ſwear, that the ſeveral negro and other ſlaves following*; viz. (here name the ſlaves, and ſet forth the particulars of the levy, whether negroes, mules, cattle, ſtock, or plantation utenſils, as the caſe may be) *levied on by deputy-marſhal for the ſaid pariſh, on the day of inſtant* (or *laſt paſt*, as the caſe may be) *on a writ of* venditioni exponas, *at the ſuit of againſt* (or *by virtue of a writ of replevin*, as the caſe may be) *are, to the beſt of this deponent's knowledge, information, and belief, either compriſed and included, or are the increaſe of negroes and ſtock compriſed and included, in a certain indenture of mortgage or other incumbrance, bearing date the day of from to an atteſted docket whereof this deponent produced to the ſaid deputy-marſhal at the time of his making the aforeſaid levy* (or *as ſoon after as this deponent had an opportunity of ſo doing*, as the caſe may be): *And this deponent further ſaith, that, to the beſt of his knowledge and belief, the ſaid indenture of mortgage or other incumbrance is prior to the execution on which the writ of* venditioni exponas *was iſſued, whereon the aforeſaid levy was made*;

and do alſo, at the ſame time, give to the provoſt-marſhal, or deputy-marſhal

ſhal making ſuch levy, an acknowledgment and engagement, in writing under his or their hand or hands, that ſuch levy has been made, and that the ſame remains in his, her, or their hands, and ſhall be produced or delivered over to ſuch provoſt-marſhal, or his deputy, on the firſt Monday in the next ſucceeding grand court, in caſe no replevin ſhall be filed and lodged for the ſame by the perſon or perſons claiming title thereto under ſuch mortgage or other prior incumbrance, as aforeſaid, on or before that day; and, in caſe any ſuch replevin ſhall be filed and lodged, then that the ſame levy, or ſuch part thereof as ſhall not be recovered by the plaintiff or plaintiffs in ſuch replevin or replevins, ſhall, within five days after the trial of ſuch replevin or replevins, be delivered over to the provoſt-marſhal, or his deputy or deputies, in order that the ſame may be ſold, if the court ſhall ſo order it; which acknowledgment or engagement ſhall be in the form following; that is to ſay,

and an acknowledgment is made of the levy, with a conditional engagement for its forthcoming.

I, *A. B. of the pariſh of in the ſaid iſland, owner, (overſeer, truſtee,* &c. as the caſe may be) *do hereby acknowledge, that deputy-marſhal for the pariſh of aforeſaid, did, on the day of inſtant* (or *laſt paſt*, as the caſe may be) *levy on* (here ſet forth the names of the negroes, and the particulars of the levy) *in my poſſeſſion, on a verit of* venditioni exponas (if more than one, mention them) *at the ſuit of againſt* (or *by virtue of a replevin at the ſuit of againſt* as the caſe may be): *And I do alſo acknowledge, that the ſaid levy, ſo made as aforeſaid, remains in my hands and poſſeſſion, and that I hold the ſame ready to be delivered over to the provoſt-marſhal, or his deputy, agreeable to a law of this iſland in ſuch caſe lately made and provided. Given under my hand, this day of one thouſand ſeven hundred and*.

Form of the acknowledgment.

Provided alſo, That ſuch replevin ſhall be tried within one court next after the court for which the ſame is brought, unleſs the plaintiff or plaintiffs is or are prevented from trying the ſame by ſuch cauſe as ſhall, upon affidavit, appear ſufficient and ſatisfactory to the ſaid ſupreme court.

Replevin to be tried the court next after that for which it is brought.

II And be it further enacted and ordained by the authority aforeſaid, That if any perſon or perſons, who ſhall have given ſuch acknowledgment and engagement as is hereby directed, ſhall refuſe, decline, or omit, producing and delivering over ſuch levy or levies at the time and for the purpoſe hereby declared, and the ſame ſhall be made appear to the judges of the ſupreme court of judicature, all and every ſuch perſon or perſons, ſo refuſing, declining, or omitting, is and are hereby made liable to be proceeded againſt by the ſaid ſupreme court; and the judges thereof for the time being are hereby empowered, required, and directed, to proceed againſt them accordingly, by attachment, fine, impriſonment, or in ſuch other manner as to the ſaid court ſhall ſeem moſt proper and expedient.

Engagement not being fulfilled, defaulters to be proceeded againſt by grand court.

III. And

Principal answerable for the engagement, though given by any agent.

III. And be it further enacted and ordained by the authority aforesaid, That if, in the absence of the mortgager, mortgagee, or other person in possession of the estate or property upon which any such levy or levies as aforesaid shall be made, any overseer, or other person resident or employed on any such estate or property, shall give any such engagement or acknowledgment as is hereby directed, the mortgager, mortgagee, or other person in possession as aforesaid, shall [*be*], and he, she, and they are hereby, bound thereby, in the same manner as if he, she, or they, had actually signed and given such acknowledgment and engagement, and be liable to be proceeded against by the said supreme court of judicature in the manner aforesaid.

Though such levies may not be removed, they are to be considered in the custody of the marshal.

IV. And, in order that the person or persons claiming title to such levy or levies may be enabled to bring his, her, or their replevin or replevins for the same, it is hereby further enacted, That, although it is hereby enacted that no levy, so to be made of negro or other slaves, mules, steers, cattle, or other stock, wains, waggons, or other carriages, plantation utensils, or implements of planting, so under mortgage, shall be removed from the plantations or properties to which they belong, yet that the same shall, from the time or times of making such levy or levies, be deemed and considered as in the custody of the provost-marshal, or deputy-marshal who shall have made the same: Provided nevertheless, That no such provost-marshal, deputy, or deputies, shall, for or on account or by reason of any such levy or levies, be intitled to, or demand or receive, any consideration by way of gaol-fees, or other fees or charges whatever, until such levy or levies shall be delivered over to be sold (in case that shall happen to be the case, as aforesaid), and then to gaol-fees only from the time or times of such levy or levies being delivered into his or their possession, so to be sold as aforesaid, and to such other fees as the provost-marshal is legally intitled to upon the sales of levies.

Limitation of marshal's fees.

When replevins brought against marshal for such levies, producing them not necessary,

proving they are also mentioned in the prior incumbrance being sufficient.

V. And be it further enacted and ordained by the authority aforesaid, That, in all cases where a replevin or replevins shall be brought against the provost-marshal, or any of his deputies, for any levy or levies by him, them, or any of them, made, by any person or persons claiming title to such levy or levies as aforesaid, and in case such replevin or replevins shall be pleaded to, it shall not be necessary, at the trial of such replevin or replevins, to produce the negro or other slaves, cattle, stock, waggons, wains, carriages, utensils, or implements, for which such replevin or replevins shall be brought; but the mortgager or mortgagers, or any person or persons claiming under him, her, or them, or any other person or persons whatsoever, save and except the plaintiff or plaintiffs in such replevin, or any person or persons claiming or to claim under him, her, or them, proving at the trial or trials of such replevin or replevins, or under any commission in such cause, or rule of court, that the negro or negroes, slave or

or ſlaves, mules, cattle, ſtock, waggons, wains, carriages, utenſils, or implements, mentioned in ſuch replevin or replevins, are alſo mentioned, compriſed, and contained, in the indenture of mortgage or other incumbrance then produced, ſhall be, and the ſame is hereby declared, ſufficient proof of the identity of ſuch ſlave or ſlaves, mules, cattle, ſtock, waggons, wains, or other carriages, utenſils, or implements; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding.

Punishment on persons falsely attesting claims.

VI. And be it further enacted and ordained by the authority aforeſaid, That if any mortgager, or other perſon claiming title under mortgage or other prior incumbrance, or any perſon claiming under them or any of them, ſhall, upon the trial or trials of any ſuch replevin or replevins, ſwear falſely, and be thereof convicted in due form of law, he, ſhe, or they, ſhall be deemed guilty of perjury, and ſuffer the like pains and penalties as perſons convicted of perjury, in that part of Great-Britain called England, are liable to.

Marshals harassing debtors to be fined and imprisoned at discretion of grand court,

VII. And be it further enacted and ordained by the authority aforeſaid, That, in all caſes where it ſhall be made appear to the ſupreme court of judicature that any deputy-marſhal hath, with intent to haraſs and diſtreſs the debtor or debtors, defendant or defendants, in any writ or writs, or the eſtate or eſtates, or other property or properties, againſt which any writ or writs ſhall be iſſued, hath acted in any reſpect contrary to the terms, true intent, and meaning, of this act, it ſhall and may be lawful to and for the ſaid ſupreme court to puniſh ſuch deputy-marſhal ſo offending, by fine and impriſonment, at the diſcretion of the ſaid court; and alſo to award and adjudge to the defendant or defendants, againſt the deputy or deputies ſo offending, all ſuch loſſes, coſts, charges, damages, and expences, as ſuch defendant or defendants, mortgagee or mortgagees, his, her, or their executors or adminiſtrators, or their repreſentatives, ſhall or may ſuffer, ſuſtain, or be put unto, by reaſon or means of ſuch deputy or deputies acting contrary to the terms, true intent, and meaning, of this act; and that, upon ſuch loſſes, coſts, damages, and expences, being taxed and adjudged by the ſaid ſupreme court as aforeſaid, it ſhall and may be lawful to and for the ſaid ſupreme court to compel the payment thereof in the moſt ſummary manner, by attachment or otherwiſe, from the perſon or perſons adjudged to pay the ſame as aforeſaid: Provided, That this act, or any thing herein contained, ſhall not extend, or be conſtrued to extend, to replevins brought in any other caſe than ſuch as are herein before mentioned.

and to make good losses, as awarded.

Recovery of such compensation.

Other replevins not affected hereby.

CAP.

CAP. XV.

An act to establish and confirm the boundary between the parishes of Port-Royal and St. David.

[21st December, 1782.]

Preamble.

WHEREAS no line of boundary, between the parishes of Port-Royal and St. David, hath ever yet been fixed or ascertained; so that the surveyors for the time being have, in making their returns to orders for king's land, arbitrarily taken the lands lying in the one parish or the other, and indiscriminately returned them to such orders; from whence great confusion hath arisen, and many of the inhabitants have not known, nor do know, to which parish they belonged or do belong, and, on that account, many disputes and differences have arisen, and may still arise, respecting the public taxes, and the collecting of them: And whereas, in order to represent the true situation of the junction of the said two parishes, and to ascertain a true and equitable boundary, an accurate survey hath been made thereof, at the instance of the justices and vestry of the parish of St. David, and of the justices and vestry of the parish of Port-Royal; but, notwithstanding such survey having been made, the respective justices and vestry of the said parishes have not been able to agree upon a dividing-line for the boundary of the said parishes: And inasmuch as, from the parties disagreeing, there is no other mode by which such line of boundary can be ascertained and permanently fixed, without the authority of the legislature of this island: In order, therefore, that all controversies and disputes touching the premises may be determined and in future prevented, and that an equitable and certain line of boundary between the said parishes may be established, known, and ascertained, so that it may be known and ascertained what estates and settlements are within and do belong to each of the said respective parishes, We, your majesty's most dutiful and loyal subjects, the assembly of this your majesty's island of Jamaica, most humbly beseech your majesty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and assembly, and it is hereby enacted by the authority of the same, That, the dividing-line of boundary, between the said parishes of Port-Royal and St. David, shall, for ever hereafter, be in manner following; That is to say, To begin at the mouth or disemboguing of Bull-Bay River into the sea, and thence up its course to the head thereof; then a direct line to the head of Shooting or Shitten River, and following the direction of its course until it meets Yallah's River; then up the course of Yallah's River until it meets with Green River, and up the course of that river to its head; from whence it is to continue a north line, until it meets the ridge of a great mountain, the reputed line between the parishes of St. George, Port-Royal, and St. David; all which boundary-line is circumscribed with yellow, as by a plat or diagram thereof, performed and executed by Hothersall Lloyd, sworn surveyor,

Boundary-line between the parishes of Port-Royal and St. David.

veyor, on the tenth day of December, in the preſent year of our Lord one thouſand ſeven hundred and eighty-two, and hereunto annexed*, will more fully and at large appear.

* *To be ſeen in the record.*

II. And be it further enacted by the authority aforeſaid, That the ſaid line of boundary, as repreſented and laid down in the ſaid plat and diagram, ſhall, for ever hereafter, be taken and eſteemed as the dividing-line between the ſaid pariſhes of Port-Royal and St. David; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding.

Above boundary confirmed.

III. And whereas the lands belonging to ſome of the ſettlements bordering on the ſaid dividing-line are part in one pariſh and part in another: In order, therefore, to prevent diſputes reſpecting the payment of the taxes, Be it further enacted by the authority aforeſaid, That, in all caſes where it ſhall ſo happen, ſuch ſettlement, if a ſugar plantation, ſhall be deemed and taken to be in that pariſh where the works are at this time ſituate, and, if any other ſettlement, the ſame ſhall be deemed and taken to be in that pariſh where the manſion or dwelling-houſe is at this time ſituated, and ſhall give-in and pay their taxes accordingly.

How taxes are to be paid for bordering ſettlements.

CAP. XVI.

An act to enable the juſtices and veſtrymen of the pariſh of Weſtmorland to raiſe a further ſum, not exceeding two thouſand pounds, upon the inhabitants of the ſaid pariſh, towards furniſhing [finiſhing] *and completing the court-houſe herein contained* [mentioned].

[21ſt December, 1782.]

WHEREAS, in and by an act of the governor, council, and aſſembly of this iſland, entitled, *An act for allotting lands, and veſting the ſame in truſtees, for new-building the town of Savanna-la-Mar; for making aqueducts or canals for conveying freſh and ſea water thereto; and for other purpoſes*, a court-houſe is directed to be erected and built, for the holding the court of aſſize for the county of Cornwall, and for tranſacting the parochial buſineſs of the ſaid pariſh; and alſo, that the juſtices and veſtry of the ſaid pariſh were empowered, by an equal tax on the freeholders and inhabitants of the ſaid pariſh, to raiſe and levy any ſum or ſums of money, not exceeding two thouſand pounds in the whole, for the building the ſaid court-houſe: And whereas the inhabitants of the pariſh of Weſtmorland, in the county of Cornwall, and iſland aforeſaid, find that the ſaid ſum of two thouſand pounds, in and by the ſaid herein-before in part recited act directed to be raiſed on the ſaid pariſh, is not ſufficient for the purpoſes therein mentioned: We, therefore, your majeſty's dutiful and loyal ſubjects, the aſſembly of Jamaica, upon the humble petition

Preamble. 21 Geo. III. cap. 11.

tion of the inhabitants of the ſaid pariſh of Weſtmorland, do moſt humbly beſeech your majeſty that it may be enacted, and be it enacted by the lieutenant-governor, council, and aſſembly of the ſaid iſland, That it ſhall and may be lawful to and for the juſtices and veſtrymen of the ſaid pariſh of Weſtmorland to lay a tax on the inhabitants of the ſaid pariſh, in the ſame manner as was directed in and by the herein-before recited act, for raiſing a further ſum of two thouſand pounds, current money of Jamaica, for the purpoſes in the ſaid act mentioned.

2000*l.* to be raiſed in Weſtmorland, in addition to the ſum mentioned in the above act.

II. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the juſtices and veſtry of the ſaid pariſh of Weſtmorland, from time to time, as the ſame ſhall be neceſſary, to repair the ſaid court-houſe, out of the pariſh-tax that ſhall be annually raiſed in the ſaid pariſh.

Court-houſe to be repaired out of the pariſh-tax.

CAP. XVII.

OBSOLETE. *An act for building a bridge over the Rio-Bueno.*—[21ſt December, 1782.]

CAP. XVIII.

EXPIRED. *An act for laying a duty on all wines, arrack, brandy, and gin, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, arrack, brandy, and gin, and on the public offices, and on rum ſold for conſumption in this iſland; and applying the ſame to ſeveral uſes.*—[21ſt December, 1782.]

CAP. XIX.

EXPIRED. *An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.*—[21ſt December, 1782.]

CAP. XX.

EXPIRED. *An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes.*—[21ſt December, 1782.]

CAP. XXI.

OBSOLETE. *An act for indemnifying ſuch perſons as have acted for the ſervice of the public, in adviſing or carrying into execution his majeſty's proclamation, iſſued by his honour the lieutenant-governor, dated the ſecond day of Auguſt, which was in the year of our Lord one thouſand ſeven hundred and eighty-two, for laying an embargo on veſſels having naval ſtores on board; and for preventing ſuits in conſequence of ſaid embargo; and to enable his excellency Archibald Campbell, eſquire, captain-general, governor, and commander in chief, or the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the continuance of the preſent war, prohibiting the exportation of cordage, ſail-cloth, canvas, and other naval ſtores, from this iſland.*—[1ſt March, 1783.]

CAP.

CAP. XXII.

An act to regulate the fees of the governor's secretary.—[1st March, 1783.] EXPIRED.

CAP. XXIII.

An act to exempt from taxes, for a limited time, such of his majesty's subjects of North-America, Bay of Honduras, and Mosquito-Shore, as from motives of loyalty, have been or shall be obliged to relinquish or abandon their possessions in that country, and take refuge in this island, with intent to settle here.—[1st March, 1783.] OBSOLETE.

CAP. XXIV.

An act to explain and amend "An act for amending and keeping in repair the road leading from Pepper Plantation, in the parish of St. Elizabeth, to Savanna-la-Mar, in the parish of Westmorland; and for vesting in trustees the toll raised by a turnpike or turnpikes on the said road, for the purposes aforesaid;" and also for amending and keeping in repair the road leading from Savanna-la-Mar, in the parish of Westmorland, to Lucea, in the parish of Hanover; and for vesting in trustees the toll raised by a turnpike or turnpikes on the said road.—[1st March, 1783.] EXPIRED.

CAP. XXV.

An act to explain and amend an act entitled, "An act for the further relief of insolvent debtors, imprisoned for debt.—[1st March, 1783.] EXPIRED.

CAP. XXVI.

An act for keeping in repair the harbour of Kingston, and for regulating the mooring of ships in the said harbour; and for restraining all masters or commanders of vessels, for the future, from heaving overboard ballast in the said harbour of Kingston.—[1st March, 1783.]

FOR the repairing and maintaining the harbour of Kingston, for regulating the mooring of ships and other vessels trading to the said town, Preamble.

May it please your most excellent majesty that it may be enacted; Be it therefore enacted by the governor, council, and assembly, of this your majesty's island, and it is hereby enacted by the authority of the same, That the masters or commanders of all vessels trading to the northward of the tropic of Cancer, which shall arrive in the harbour of Kingston, shall pay into the hands of Hinton East, esquire, receiver-general, or the receiver-general for the time being, the sums herein after mentioned; that is to say, Every ship or three-mast vessel, the sum of fifteen shillings; every brigantine, snow, or bilander, the sum of ten shillings; and every sloop or schooner, the sum of seven shillings and six pence: And all ves- Rates to be paid by masters of different vessels trading to the northward of the tropic of Cancer;

by those trading between the tropics;

and by masters of coasting vessels.

ſels trading between the tropics, which ſhall arrive in the harbour of Kingſton, ſhall pay half of the above-mentioned ſums; that is to ſay, Every ſhip or three-maſt veſſel, the ſum of ſeven ſhillings and ſixpence; every brigantine, ſnow, or bilander, the ſum of five ſhillings; and every ſloop or ſchooner, the ſum of three ſhillings and nine pence; ſugar-droggers, and other veſſels uſing the coaſting trade of this iſland, excepted, who ſhall pay two ſhillings and ſix pence every three months, and no more.

No veſſels to be cleared out till the duties are paid, under penalty of 50*l.*

II. And to the intent the ſaid duties may be truly paid, be it therefore enacted by the [*authority*] aforeſaid, That no receiver-general ſhall clear out any ſhip or other veſſel, chargeable with the ſaid duties, until the ſaid duties are paid, on pain to forfeit, for every offence, the ſum of fifty pounds; to be recovered in the ſupreme court of judicature of this iſland, by action of debt, plaint, or information, wherein no eſſoin, protection, wager of law, or injunction, ſhall be allowed or granted, or *non vult ulterius proſequi* be entered; one moiety thereof ſhall be to his majeſty, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof, and the other moiety to the informer: Provided always, That in caſe the water-bailiff, appointed or to be appointed by virtue of this act, ſhall have left with the receiver-general for the time being, before the clearing out of any veſſel, a certificate, under the hand of the maſter or commanding officer of every ſuch veſſel reſpectively that ſhall arrive in the ſaid harbour of Kingſton, that he the ſaid water-bailiff, or ſome perſon for him, hath actually attended and performed his duty in mooring ſuch veſſels reſpectively, agreeable to the intention of this act.

unleſs water-bailiff fails in producing the neceſſary certificate.

Every maſter, in three days after mooring, to ſign certificate that water-bailiff has performed his duty.

III. And be it further enacted by the authority aforeſaid, That the maſter or commander of every veſſel that ſhall arrive in the harbour of Kingſton do and ſhall, within three days after the mooring of ſaid veſſel, upon application made to him by the ſaid water-bailiff, or ſome perſon on his behalf, ſign ſuch certificate, under the penalty of forty ſhillings in caſe of refuſal; to be recovered, before any juſtice of the ſaid town and pariſh of Kingſton, on the oath of the ſaid water-bailiff, or ſuch perſon acting in his behalf; one moiety whereof to be paid into the hands of the churchwarden for the time being, for the uſe of the poor of ſaid pariſh of Kingſton, and the other moiety to be paid to the ſaid water-bailiff.

Commander in chief may appoint a water-bailiff, for regulation of the harbour.

IV. And, for applying the ſaid ſeveral ſums of money hereby made payable for the purpoſes aforeſaid, be it enacted by the authority aforeſaid, That it ſhall and may be lawful for the governor, or commander in chief for the time being, by inſtrument in writing under his hand and ſeal, at his pleaſure, to appoint and chooſe a water-bailiff, for the better and more orderly government of the ſaid port, and that all ſhips and veſſels may anchor and moor in proper and regular manner and places, with ſuch ſalary as [*he*]

by

by inſtrument of writing under his hand and ſeal, ſhall appoint, ſo as ſuch ſalary do not exceed the money to be raiſed by this act; and ſuch water-bailiff, ſo [*to*] be appointed, at his will and pleaſure to remove.

V. And whereas a practice hath prevailed of taking ballaſt from a certain part of the palliſadoes of the ſaid harbour, by means whereof a breach, already made therein, may greatly widen by the ſea breaking through, which will very much endanger the veſſels riding in the ſaid harbour, and the navigation thereof: Be it therefore enacted by the authority aforeſaid, That, from and after the firſt day of March next, no perſon whatſoever ſhall take up or carry from thence, or within two hundred yards on either ſide of the ſaid breach, any ſtones, ſand, or other ballaſt, on any pretence whatſoever.

No ſtones, ſand, &c. to be taken up within 200 yards of the breach in the palliſadoes.

VI. And be it further enacted, That any perſon, ſo offending, ſhall forfeit the ſum of ten pounds; to be recovered, before any two of his majeſty's juſtices of the peace for the towns and pariſhes of Kingſton and Port-Royal, upon the oath of any one or more witneſs or witneſſes; one half of which penalty ſhall be paid to the informer, and the other half to be paid into the hands of the churchwarden or churchwardens for the ſaid towns and pariſhes of Kingſton and Port-Royal, for the uſe of the poor of each reſpective pariſh.

Perſons ſo offending to forfeit 10l.

Application thereof.

VII. And be it further enacted by the authority aforeſaid, That the water-bailiff for the time being ſhall, and he is hereby empowered to, take all negro and other ſlaves, who ſhall be found taking up or carrying away from the ſaid place any ſtones, ſand, or other ballaſt, and cauſe ſuch negro or other ſlaves to be carried before one of the juſtices of the peace of either of the ſaid pariſhes; which juſtice ſhall, upon proof to him made of the fact, order ſuch ſlave or ſlaves to ſuffer ſuch puniſhment, by impriſonment, as he ſhall think proper, not exceeding three months: Provided always, That if any owner or proprietor of any ſlave, ſo ordered to be impriſoned, ſhall pay the ſum of five pounds, for each ſlave, into the hands of ſuch juſtice, to be applied in the like manner as the aforeſaid penalty, then the ſaid ſlave or ſlaves ſhall not ſuffer the impriſonment by this act directed.

Water-bailiff empowered to take up ſlaves offending herein;

who are to be imprisoned three months,

unleſs owners pay 5l. for each.

VIII. And be it further enacted by the authority aforeſaid, That, out of the monies to ariſe by virtue of this act, the receiver-general for the time being ſhall pay all the orders which ſhall, from time to time, be given upon him by the governor, or commander in chief for the time being, for paying the ſalary he ſhall or may agree to pay ſuch officer, as aforeſaid, and for defraying all other expences which ſhall or may be incurred for effecting the purpoſes aforeſaid: And the ſaid water-bailiff, ſo appointed, ſhall from time to time be ſworn before the commiſſioners herein after to be named, or any three of them, juſtly and indifferently, without partiality or affection,

Application of monies arising by means of this act.

Water-bailiff to be ſworn, to act impartially.

tion, to execute the office according to the ancient cuſtom and uſage of Great-Britain.

Veſſels not to ſwing nearer to a wharf than fifty fathoms, nor to have a ſtern faſt.

IX. And be it further enacted by the authority aforeſaid, That no ſhip or other veſſel ſhall be moored to ſwing nearer to any wharf than fifty fathoms, nor keep a ſtern-faſt, unleſs to unload or take in a load, off any wharf, under the penalty of ten pounds; to be recovered, before any two juſtices of the peace, upon the oath of any one or more witneſs or witneſſes, and to be levied by warrant of diſtreſs under their hands and ſeals, againſt the maſter of ſuch ſhip or veſſel, directed to any conſtable or conſtables of the ſaid pariſh for that purpoſe.

Not to ſwing within an hundred fathoms in the hurricane months.

X. And be it further enacted by the authority aforeſaid, That, from the firſt day of Auguſt to the laſt day of November in every year, being reckoned the hurricane months, no ſhip or veſſel ſhall moor or ſwing nearer to the wharf than one hundred fathoms, unleſs as above to load or unload, under the penalty of ten pounds; to be recovered, of the maſter of ſuch ſhip or veſſel, in manner aforeſaid.

Time allowed veſſels, according to their tonnage, to load or unload.

XI. And be it further enacted, That the time for unloading or loading all veſſels, mentioned under this act, ſhall be computed as follows: All veſſels under one hundred tons burthen, and not exceeding one hundred and fifty tons, to be allowed four working days from the time of their being along-ſide any wharf; all veſſels from one hundred and fifty tons burthen to two hundred tons, to be allowed ſix working days; all veſſels from two hundred tons burthen to three hundred tons, to be allowed eight working days; and all veſſels above three hundred tons, to be allowed twelve working days.

Water-bailiff to make good damage ariſing from his ignorance or negligence.

Who may not be water-bailiffs.

XII. And be it further enacted, That if the ſaid water-bailiff, by ignorance or negligence, ſhall moor any veſſel ſo as thereby any damage ſhall ariſe, the ſaid water-bailiff ſhall be liable to make good the ſame, by any plaint, bill, or information, to be brought or proſecuted in the ſupreme court of judicature of this iſland: Provided always, That no perſon who is a commiſſioner, or wharfinger, ſhall be appointed a water-bailiff by virtue of this act.

Diſputes about mooring veſſels to be ſettled by commiſſioners; whoſe directions water-bailiff is to follow.

XIII. And be it further enacted by the authority aforeſaid, That in caſe any differences or diſputes ſhall ariſe, concerning the mooring of any ſhips or veſſels directed by this act, that then, and in ſuch caſe, the ſame ſhall be ſettled and adjuſted by the commiſſioners herein after appointed, or any three of them: And the ſaid water-bailiff, ſo to be appointed, is hereby required to follow all ſuch directions, under the penalty of twenty pounds for each offence; to be levied by warrant under the hands and ſeals of the ſaid commiſſioners, or any three of them, to be directed to any conſtable or conſtables of the ſaid pariſh.

XIV. And

XIV. And be it further enacted by the authority aforeſaid, That the juſtices and veſtrymen of the ſaid pariſh of Kingſton for the time being, or any three of them, one whereof to be a juſtice, are hereby appointed commiſſioners to carry this act into execution.

Juſtices and veſtrymen appointed commiſſioners.

XV. And whereas a practice hath prevailed of heaving ballaſt out of ſhips and other veſſels into the ſaid harbour of Kingſton, to the great detriment and injury of ſuch harbour: For remedy whereof, and to prevent the like practice for the future, Be it further enacted, That, from and after the firſt day of March next, no perſon whatſoever ſhall heave or throw overboard, out of any ſhip or veſſel, any ſtones, gravel, or other ballaſt, into ſuch harbour, under the penalty of ten pounds for every offence; to be recovered, upon the oath of one or more credible witneſs or witneſſes, before any two juſtices of the peace for the pariſh or precinct where the offence ſhall be committed; one half whereof ſhall be paid into the hands of the churchwardens, for the benefit of the poor of ſuch pariſh, and the other moiety to the informer or perſon ſuing for the ſame; any law, cuſtom, or uſage, to the contrary notwithſtanding.

Ballaſt not to be thrown overboard in the harbour, under penalty of 10*l.*

Recovery and application thereof.

XVI. And be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, the harbour-maſter for the time being ſhall have full power and authority to take charge and direction of any ſhip or veſſel whatſoever that ſhall happen to be ſet on fire, in order to extinguiſh the ſame, and prevent its ſpreading further: And that any perſon or perſons, that ſhall obſtruct the ſaid harbour-maſter in the execution of ſo neceſſary and uſeful a part of his duty, ſhall forfeit the ſum of five hundred pounds; to be recovered, by bill, plaint, or information, in the ſupreme court of judicature of this iſland, wherein no eſſoin, protection, or wager of law, ſhall be allowed, or *non vult ulterius proſequi* be entered.

Harbour-maſter to have direction of any veſſel on fire, to ſtop its progreſs.

Penalty of 500*l.* on obſtructing him in ſuch duty.

CAP. XXVII.

An act for keeping in repair the harbour of Martha-Brae; for regulating the mooring of ſhips in the ſaid harbour; and for reſtraining all maſters or commanders of veſſels, for the future, from heaving overboard ballaſt in the ſaid harbour of Martha-Brae.—[1ſt March, 1783.]

FOR the repairing and maintaining the harbour of Martha-Brae, for regulating the mooring of ſhips and other veſſels trading thereto, May it pleaſe your moſt excellent majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland, and it is hereby enacted by the authority of the ſame, That

Preamble.

Duties to be paid for different vessels arriving in the harbour of Martha-Brae.

That the masters or commanders of all vessels trading to the northward of the tropic of Cancer, which shall arrive in the said harbour of Martha-Brae, shall pay into the hands of Hinton East, esquire, receiver-general, or the receiver-general for the time being, or his lawful deputy at Montego-Bay, the sums herein after mentioned; that is to say, Every ship or three-mast vessel, the sum of fifteen shillings; every brigantine, snow, or bilander, the sum of ten shillings; and every sloop or schooner, the sum of seven shillings and six pence: And all vessels trading between the tropics, which shall arrive in the harbour of Martha-Brae, shall pay half of the above-mentioned sums; that is to say, Every ship or three-mast vessel, the sum of seven shillings and six pence, every brigantine, snow, or bilander, the sum of five shillings; every sloop or schooner, the sum of three shillings and nine pence; sugar-droggers, and other vessels using the coasting trade of this island, excepted, who shall pay two shillings and six pence every three months, and no more.

No vessel to be cleared out till the duties are paid, under penalty of 50*l.*

II. And, to the intent the said duties may be truly paid, be it therefore enacted by the authority aforesaid, That no receiver-general, or his deputy, shall clear out any ship or other vessel, chargeable with the said duties, until the said duties be paid, on pain to forfeit, for every offence, the sum of fifty pounds; to be recovered in the supreme court of judicature of this island, by action of debt, bill, plaint, or information, wherein no essoin, protection, wager of law, or injunction, shall be granted or allowed, or *non vult ulterius prosequi* be entered; one moiety thereof shall be to his majesty, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof, and the other moiety to the informer: Provided always, That in case the water-bailiff, appointed or to be appointed by virtue of this act, shall have left with the receiver-general for the time being, or his lawful deputy at Montego-Bay aforesaid, before the clearing out of any such vessel, a certificate, under the hand of the master or commanding officer of every such vessel respectively that shall arrive in the said harbour of Martha-Brae, that he the said water-bailiff, or some person for him, hath actually attended and performed his duty in mooring such vessels respectively, agreeable to the intentions of this act.

unless water-bailiff fails in producing the necessary certificate.

Certificate to be given, on application, in three days after vessel moored.

III. And be it further enacted by the authority aforesaid, That the master or commander of every vessel that shall arrive in the said harbour of Martha-Brae do and shall, within three days after the mooring of said vessel, upon application made to him by the aforesaid water-bailiff, or some person on his behalf, sign such certificate, under the penalty of forty shillings in case of refusal; to be recovered before any justice for the parish of Trelawny, on the oath of the said water-bailiff, or such person acting in his behalf; one moiety whereof to be paid into the hands of the churchwarden for the time being, for the use of the poor of the said parish of Trelawny, and the other moiety to be paid to the said water-bailiff.

IV. And

IV. And, for applying the ſaid ſeveral ſums of money hereby made payable for the purpoſes aforeſaid, be it enacted by the authority aforeſaid, That it ſhall and may be lawful for the governor, or commander in chief for the time being, by inſtrument in writing under his hand and ſeal, at his pleaſure, to chooſe and appoint a water-bailiff, for the better and more orderly government of the ſaid port, and that all ſhips and veſſels may anchor and moor in proper and regular manner and places, with ſuch ſalary as he, by inſtrument in writing under his hand and ſeal, ſhall appoint, ſo as ſuch ſalary do not exceed the money to be raiſed by this act; and ſuch water-bailiff, ſo to be appointed, at his will and pleaſure to remove.

Commander in chief may appoint a water-bailiff, and fix his ſalary.

V. And be it further enacted by the authority aforeſaid, That, out of the monies to ariſe by virtue of this act, the receiver-general for the time being ſhall pay all the orders which ſhall, from time to time, be given upon him by the governor, or commander in chief for the time being, for paying the ſalary he ſhall or may agree to pay ſuch officer, as aforeſaid, and for defraying all other expences which ſhall or may be incurred for effecting the purpoſes aforeſaid: And the ſaid water-bailiff, ſo appointed, ſhall from time to time be ſworn before the commiſſioners herein after to be named, or any three of them, juſtly and indifferently, without partiality or affection, to execute the office according to the ancient cuſtom and uſage of Great-Britain.

Application of monies to arise by this act.

Water-bailiff to be ſworn to act impartially.

VI. And be it further enacted by the authority aforeſaid, That, over and above the monies to ariſe by this act, it ſhall and may be lawful to and for the juſtices and veſtry of the ſaid pariſh, and they are hereby empowered, required, and obliged, to lay a tax upon the inhabitants of the ſaid pariſh, for the raiſing a further ſum of one hundred and forty pounds *per annum*, to be paid to the ſaid water-bailiff, for his trouble in performing his duty in purſuance of this act; ſuch tax to be collected and levied in the ſame manner as the parochial taxes are uſually collected and levied.

Juſtices and veſtry empowered to raiſe 140*l* *per annum* for the water-bailiff.

VII. And be it further enacted by the authority aforeſaid, That no ſhip or other veſſel ſhall be moored to ſwing nearer to any wharf than fifty fathoms, nor keep a ſtern-faſt, unleſs to unload or take in a load, off any wharf, under the penalty of ten pounds; to be recovered, before any two juſtices of the peace, upon the oath of any one or more witneſs or witneſſes, and to be levied by warrant of diſtreſs under their hands and ſeals, againſt the maſter of ſuch ſhip or veſſel, directed to any conſtable or conſtables of the ſaid pariſh for that purpoſe.

Veſſels not to ſwing nearer to a wharf than fifty fathoms, nor to keep a ſtern-faſt.

VIII. And be it further enacted by the authority aforeſaid, That, from the firſt day of Auguſt to the laſt day of November in every year, being reckoned the hurricane months, no ſhip or other veſſel ſhall moor to ſwing nearer to the wharf than one hundred fathoms, unleſs as above to load or unload,

Not to ſwing within an hundred fathoms in the hurricane months.

unload, under the like penalty of ten pounds; to be recovered, of the maſter of ſuch ſhip or veſſel, in manner aforeſaid.

Water-bailiff to make good miſchief ariſing from his ignorance or negligence. Who may not be water-bailiffs.

IX. And be it further enacted by the authority aforeſaid, That if the ſaid water-bailiff, by ignorance or negligence ſhall moor any veſſel ſo as thereby any damage ſhall ariſe, the ſaid water-bailiff ſhall be liable to make good the ſame, by any bill, plaint, or information, to be brought or proſecuted in the ſupreme court of judicature of this iſland: Provided always, That no perſon who is a commiſſioner, or wharfinger, ſhall be appointed a water-bailiff by virtue of this act.

Diſputes concerning mooring veſſels to be ſettled by commiſſioners; whoſe directions water-bailiff is to follow.

X. And be it further enacted by the authority aforeſaid, That in caſe any differences or diſputes ſhall ariſe, concerning the mooring of any ſhips or veſſels directed by this act, that then, and in ſuch caſe, the ſame ſhall be ſettled and adjuſted by the commiſſioners herein after appointed, or any three of them: And the ſaid water-bailiff, ſo to be appointed, is hereby required to follow all ſuch directions, under the penalty of twenty pounds for each offence; to be levied by warrant under the hands and ſeals of the ſaid commiſſioners, or any three of them, to be directed to any conſtable or conſtables of the ſaid pariſh.

Juſtices and veſtrymen appointe commiſſioners.

XI. And be it further enacted by the authority aforeſaid, That the juſtices and veſtrymen of the ſaid pariſh of Trelawny for the time being, or any three of them, one whereof to be a juſtice, are hereby appointed commiſſioners to carry this act into execution.

Ballaſt not to be thrown overboard in the harbour, under penalty of 10*l*. Recovery and application thereof.

XII. And whereas a practice hath prevailed of heaving ballaſt out of ſhips and veſſels into the ſaid harbour of Martha-Brae, to the great detriment and injury of ſuch harbour: For remedy whereof, and to prevent the like practice for the future, Be it further enacted, That, from and after the tenth day of March next, no perſon whatſoever ſhall heave or throw overboard, out of any ſhip or veſſel, any ſtones, gravel, ſand, or other ballaſt, into the ſaid harbour, under the penalty of ten pounds for every offence; to be recovered, upon the oath of one or more credible witneſs or witneſſes, before any two juſtices of the peace for the ſaid pariſh; one half whereof ſhall be paid into the hands of the churchwardens, for the benefit of the poor of the ſaid pariſh, and the other moiety to the informer or perſon ſuing for the ſame; any law, cuſtom or uſage, to the contrary notwithſtanding.

Harbour-maſter to have direction of any veſſel on fire, to ſtop its progreſs.

XIII. And be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, the harbour-maſter for the time being ſhall have full power and authority to take charge and direction of any ſhip or veſſel whatſoever that ſhall happen to be ſet on fire, in order to extinguiſh the ſame, and prevent its ſpreading further: And that any perſon or perſons, that ſhall obſtruct the ſaid harbour-maſter in the execution of ſo neceſſary

ceſſary and uſeful a part of his duty, ſhall forfeit the ſum of five hundred pounds; to be recovered, by bill, plaint, or information, in the ſupreme court of judicature of this iſland, wherein no eſſoin, protection, or wager of law, ſhall be allowed, or *non vult ulterius proſequi* be entered. Penalty of 500*l.* on perſons obſtructing him in ſuch duty.

CAP. XXVIII.

An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.—[1ſt March, 1783.] EXPIRED.

CAP. XXIX.

An act for eſtabliſhing and declaring rules and articles of war.—[1ſt March, 1783.] EXPIRED.

Anno regni Georgii tertii viceſimo quarto.

CAP. I.

An act for eſtabliſhing and declaring rules and articles of war.—[16th December, 1783.] EXPIRED.

CAP. II.

An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes.—[16th December, 1783.] EXPIRED.

CAP. III.

An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations.—[16th December, 1783.] EXPIRED.

CAP. IV.

An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.—[16th December, 1783.] EXPIRED.

CAP. V.

An act to encourage perſons to keep veſſels for tranſporting goods about this iſland; and to prevent abuſes being committed by the maſters or commanders of ſuch veſſels; and to regulate wharfingers and others ſhipping ſuch goods.—[16th December, 1783.] EXPIRED.

CAP. VI.

EXPIRED. *An act for the further regulation of the ſervice and execution of proceſs, and the returns thereof; and other purpoſes relating to the ſervice of jurors, and rendering the ſame a more equal duty; and for other purpoſes therein mentioned.*—[16th December, 1783.]

CAP. VII.

EXPIRED. *An act for explaining and amending the ſeveral highway laws now in force, and rendering the ſaid laws more effectual.*—[16th December, 1783.]

CAP. VIII.

EXPIRED. *An act to prevent the ſmuggling foreign produce into this iſland.*—[16th December, 1783.]

CAP. IX.

EXPIRED. *An act for eſtabliſhing public workhouſes in the ſeveral pariſhes in this iſland.*—[16th December, 1783.]

CAP. X.

EXPIRED. *An act for eſtabliſhing, diſciplining, and regulating, the militia; for aſcertaining who ſhall compoſe future councils of war; and for other purpoſes reſpecting the ſaid militia.*—[21ſt December, 1783.]

CAP. XI.

An act for repealing an act entitled, "An act for the better diſcovering and collecting the arrears of his majeſty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due;" and for the better diſcovering, aſcertaining, and collecting, ſuch arrears; and for the more effectual collecting the quit-rents hereafter to become due.—[21st December, 1783.]

Preamble. WHEREAS an act entitled, *An act for the better diſcovering and collecting the arrears of his majeſty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due,* hath not had the deſired effect: And whereas it will tend to the better collecting the arrears of quit-rents, and to the eaſe of the ſubject, if the ſame were diſcharged of all intereſt, and the principal to be demanded only from a certain period: May it pleaſe your majeſty that it may be enacted, and be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That, from and after the firſt day of January, which will be in the year of our Lord one thouſand ſeven hundred and eighty-four, the ſaid

Repeal of above-mentioned act.

ſaid act, and all and every the clauſe and clauſes therein, and every part thereof, be and ſtand annulled, repealed, and made void, and are hereby annulled, repealed, and made void, to all intents and purpoſes whatſoever.

Clauſes II. *to* VII. REPEALED.

VIII. And be it further enacted, That all ſums of money that were due for quit-rents, or arrears of quit-rents, on or before the firſt day of January, which was in the year of our Lord one thouſand ſeven hundred and ſixty, and all intereſt whatſoever due thereon, or on any other quit-rents, up to the firſt day of November, one thouſand ſeven hundred and eighty-four, be, are, and ſhall be hereby, acquitted, releaſed, and diſcharged, to all and every perſon or perſons whatſoever; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding: And that each and every ſuch perſon and perſons reſpectively, who ſhall render in a full and exact account of his, her, or their lands, in ſuch manner as herein before is directed, enacted, ordained, and required, in purſuance of this act, ſhall and may pay, or enter into and give bond, to our ſovereign lord the king, his heirs and ſucceſſors, conditioned for the payment, within twelve months from the date of ſuch bonds, of the full amount of all and every the ſum and ſums due and owing from ſuch perſon or perſons reſpectively, for principal of quit-rents from the ſaid firſt day of January, one thouſand ſeven hundred and ſixty, due on the day of the date as aforeſaid, together with intereſt at the rate of ſix pounds *per centum per annum*, to the receiver-general for the time being, or his aſſign or aſſigns; which bonds the receiver-general for the time being is hereby empowered and directed to receive in payment, and to give ſufficient receipts for the ſame to the obligor or obligors of ſuch bond or bonds: And in caſe ſuch bond or bonds, and intereſt thereon, as aforeſaid, ſhall not be fully paid at the days or times on which the ſame ſhall be reſpectively conditioned to be paid, then, and in ſuch caſe, the receiver-general for the time being is hereby empowered, directed, and required, to exhibit ſuch bond or bonds before the ſupreme court of judicature in this iſland; which ſaid court ſhall, on due proof that the term of ſuch bond or bonds is expired, and that payment thereof hath been demanded of the obligor or obligors, his, her, or their heirs, executors, or adminiſtrators, or any or either of them, by ſuch receiver-general for the time being, grant to ſuch receiver-general a writ or writs of *venditioni exponas* againſt the body and goods of ſuch obligor or obligors, his, her, or their heirs, executors, or adminiſtrators, any or either of them, on whom ſuch demand of payment ſhall have been made, in the ſame manner and form as if judgment had been obtained againſt him, her, or them, and execution had been returned and levied thereon; and ſuch receiver-general ſhall thereupon, and he is hereby authorized, empowered, directed, and required, from time to time, to mark, on ſuch writ or writs, levies for ſuch ſum or ſums as ſhall be unpaid upon each and every ſuch bond or bonds, as aforeſaid, together with coſts taxed by the ſaid court; and ſuch writs, ſo marked, ſuch receiver-general ſhall deliver, or cauſe to be delivered, to the provoſt-marſhal-general of this iſland for the time being; who ſhall forthwith cauſe the

All quit-rents due before Jan. 1, 1760, and all interest due on quit-rents up to Nov. 1, 1784, acquitted.

Persons rendering accounts of their lands may give bond, payable in twelve months, for principal of quit-rents from 1760.

If bonds not duly paid, supreme court to grant writs of *venditioni* against body and goods, as if judgment had been obtained.

Receiver-general to mark the sums due on such writs.

Provost-marshal to cause them to be executed, and pay levies to receiver-general

the ſame to be duly executed, and levies to be made thereon until the full ſum or ſums marked thereon, with all intereſt and coſts, ſhall be paid, and the ſum or ſums, ſo ariſing from ſuch levies, ſhall pay to the receiver-general; and the provoſt-marſhal, or his lawful deputy or deputies, ſhall and may alſo levy, on each and every ſuch writ or writs aforeſaid, poundage, at the rate of five pounds *per centum* for the firſt one hundred pounds, and two pounds ten ſhillings *per centum* for every other one hundred pounds, of ſuch levy or levies before mentioned, and no more, and ſo in proportion for any leſs ſum or ſums, as or for his or their fees in and concerning his or their trouble in the due execution of ſuch writ or writs: And each and every ſuch writ or writs, ſo marked, iſſued, and levied, as aforeſaid, ſhall be intitled to, and ſhall have, priority to all and every the preceding prior or other writ or writs, bills, bonds, mortgages, judgments, recogniſances, or any other debt or debts, or demands of what nature or kind ſoever, extant againſt the body, goods, or chattels, of ſuch obligor or obligors, their heirs, executors, or adminiſtrators, againſt whom ſuch writ or writs [*ſhall*] be marked by the receiver-general, as aforeſaid; any thing in this or any other act or law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding: Provided nevertheleſs, and it is the true intent and meaning of this act, That where any attornies, agents, or executors, ſhall give bond or bonds for quit-rents due on lands ſo given-in by them in any of thoſe capacities, ſuch bonds ſhall expreſs for whom they were given; and all the proceſs directed by this act to iſſue, in conſequence of bonds given by owners or proprietors, ſhall be iſſued againſt the property or perſons of ſuch perſons for whom ſuch bonds were given, and not againſt the property or perſons of ſuch attornies, agents, or executors, who ſhall ſign ſuch bonds, unleſs no property can be found belonging to the perſon or perſons for whom ſuch bond or bonds were given.

Writs for quit-rent bonds to have priority of all others.

Bonds given by agents must express for whom given.

Process not to issue against agents.

unless no assets found of principal.

IX. And be it further enacted by the authority aforeſaid, That if any owners, proprietors, or poſſeſſors of land, in their own right or in right of their wives, or any mortgagees in poſſeſſion, guardians, attornies, agents, truſtees, executors, or others, in poſſeſſion of land in the right of others, ſhall neglect or refuſe to give-in ſuch account or accounts as aforeſaid, and pay or give bond for the ſame, in manner and at the time or times herein before expreſſed and required, every ſuch perſon or perſons, ſo refuſing or neglecting, ſhall be chargeable and anſwerable for the ſame, with intereſt at and after the rate of twelve pounds *per centum per annum*, from and after three years from the time the ſame become due, as heretofore, and ſhall, for every ſuch offence or neglect, forfeit the ſum of one hundred pounds; to be recovered, by action of debt, bill, plaint, or information, in the ſupreme court of judicature, wherein no eſſoin, protection, or wager of law, or *non vult ulterius proſequi*, ſhall be entered; any law, cuſtom, or uſage, to the contrary notwithſtanding; which ſaid forfeiture or forfeitures ſhall be applied and paid to his majeſty, and his ſucceſſors, to and for the uſe of the government of this iſland, and the contingent charges thereof;

Owners, &c. neglecting to give-in accounts, and pay or give bond, to be chargeable with interest at 12 *per cent.* for a certain time,

and forfeit 100*l.* for each neglect.

Recovery thereof, and application.

thereof: Provided nevertheleſs, That nothing in this act contained ſhall extend, or be conſtrued, to authorize or allow any guardian, truſtee, executor, adminiſtrator, [*attorney*,] agent, or other perſon holding or managing the lands of others, to charge the right owner or owners, proprietor or proprietors, of any lands under the care and management of ſuch guardians, truſtees, executors, adminiſtrators, attornies, agents, or other perſons reſpectively, with any forfeiture, penalty, or other additional burthen of intereſt, impoſed or to be levied by or under this act, in any caſe where the ſame ſhall not appear to have been incurred by ſuch owner or owners, proprietor or proprietors, his, her, or their own default reſpectively; any thing, or any other law, cuſtom, or uſage, of this iſland, to the contrary hereof in anywiſe notwithſtanding.

Agents not to charge principals with penalties incurred by their default.

X. And be it further enacted by the authority aforeſaid, That all and every perſon and perſons, who have or hath paid intereſt for his or their quit-rents from the firſt day of January, one thouſand ſeven hundred and ſixty, ſhall be allowed a diſcount out of their quit-rents now due, or hereafter to become due, for all payments by him or them exceeding what was due, at the time of ſuch payment, for the principal of quit-rents; and the receiver-general for the time being is hereby required and obliged to diſcount the ſame accordingly; any law, cuſtom, or uſage, to the contrary notwithſtanding: Provided nevertheleſs, That ſuch perſon or perſons only ſhall be intitled to the benefit of this relief, and of the relief herein before provided againſt the intereſt due on quit-rents in arrear, as ſhall give-in and ſatisfy the ſame, as is herein before provided for.

Interest paid for quit-rents since 1760, to be allowed back in discount for taxes due.

Those only who give-in as before directed to have reliefs.

Clauses XI. *to* XVI. REPEALED.

XVII. And be it enacted by the authority aforeſaid, That any perſon or perſons who ſhall have taken ſuch oath, or made ſuch ſolemn affirmation, and ſhall thereafter be legally convicted, in his majeſty's ſupreme court of judicature, of having wilfully, corruptly, or fraudulently, committed perjury in the taking ſuch oath, or making ſuch ſolemn affirmation, every ſuch perſon or perſons, ſo legally convicted as aforeſaid, ſhall ſuffer ſuch pains and penalties as perſons guilty of wilful and corrupt perjury are, by a certain act of parliament paſſed in that part of Great-Britain called England, in the fifth year of the reign of queen Elizabeth, or by any law now in force in this iſland, liable to ſuffer.

Punishment of persons swearing or affirming falsely.

XVIII. And be it enacted by the authority aforeſaid, That if any perſon or perſons liable to the payment of quit-rents, their agent or agents, overſeer or overſeers, who, on due notice given as herein before is directed, and affidavit made thereof by the conſtable or conſtables, ſhall not appear and give-in an account, on oath, to the juſtices and veſtry, or to the juſtices or any two of them where no veſtries are, or to the veſtrymen or any five of them where no juſtices are, for the time being, at ſuch time as before is directed, that then, and in ſuch caſe, it ſhall and may be lawful to and for the ſaid juſtices and veſtry, or juſtices or any two of them where no

Persons having had due notice, and neglecting to give-in accounts, on oath, to be assessed one sixth part more.

no veſtries are, or any five of the veſtrymen where no juſtices are, of the ſeveral pariſhes and precincts in this iſland, to tax or aſſeſs ſuch perſon or perſons, ſo neglecting or refuſing to give-in an account as aforeſaid, by themſelves, their agents or overſeers, one ſixth part over and above what he, ſhe, or they, ſhould have been charged or aſſeſſed, had they given-in ſuch account as herein before is directed: And ſuch tax, in ſuch caſe, ſhall be laid according to the preceding accounts of lands which, by this act, are directed and required to be given-in before the juſtices and veſtry, or any two juſtices where no veſtries are, or any five veſtrymen where no juſtices are, in every pariſh reſpectively, on or before the twenty-eighth day of March, which will be in the year of our Lord one thouſand ſeven hundred and eighty-four, and regiſtered and tranſcribed as herein before mentioned, enacted, and ordained, or according to the beſt information ſuch juſtices and veſtry, or any two juſtices where no veſtries are, or any five veſtrymen where no juſtices are, can procure, upon oath, of the particulars of the lands and poſſeſſions of ſuch defaulter or defaulters, lying or being in ſuch pariſhes or precincts reſpectively: Provided nevertheleſs, and be it enacted by the authority aforeſaid, That in caſe, upon due proof before the juſtices and veſtry, or any two juſtices where no veſtries are, or any five veſtrymen where no juſtices are, in any pariſh or precinct of this iſland reſpectively, it ſhall at any time appear that any ſuch default, neglect, or refuſal, in not giving-in as juſt mentioned, ſhall have happened by the wilful negligence, omiſſion, or refuſal, of any ſuch agent or agents, overſeer or overſeers, and not through the fault of the principal party, conſtituent, owner, or employer, then, and in every ſuch caſe, the perſon or perſons actually guilty of ſuch wilful default, neglect, or refuſal, ſhall pay ſuch aſſeſſment, or, in default of paying the ſame, ſhall be liable to ſuch diſtreſs or penalties as herein before is or are provided and enacted with reſpect to the principal party, conſtituent, owner, or employer; any thing herein contained to the contrary hereof in anywiſe notwithſtanding: Provided, That in caſe no diſtreſs of ſuch agent or agents, overſeer or overſeers, can be found within ſuch pariſh or precinct reſpectively, that then, and in ſuch caſe and not otherwiſe, the goods, chattels, and ſlaves, of ſuch principal party, conſtituent, or employer, ſhall be liable to be diſtrained and ſold in manner herein before directed.

Such aſſeſſments to be made from preceding accounts,

or from the beſt information that can be obtained.

If default happens by neglect of any agent, he is to pay the aſſeſſment,

unleſs diſtreſs belonging to him cannot be found.

Clauſes XIX. *and* XX. REPEALED.

XXI. And be it enacted by the authority aforeſaid, That all and every the collecting conſtable or conſtables aforeſaid, of the ſeveral pariſhes or precincts in this iſland, to whom all and every the rolls as aforementioned ſhall be delivered, ſhall be and are hereby made amenable in the ſame manner as for any other public tax, to the ſupreme court of judicature of this iſland, for any neglect in the execution of them, in the ſame manner as the collecting conſtables for the public taxes are for neglect or non-execution of their duty in paying the ſame to the receiver-general: And the judges of the ſaid ſupreme court, upon complaint being made in court by the receiver-general for the time being, againſt any of the ſaid collecting conſtable

Collecting conſtables amenable to grand court for quit-rents as for other public taxes.

Judges, on complaint of receiver-general, to iſſue

conſtable or conſtables, for non-payment of their ſeveral rolls on the ſeveral days and times when they ſeverally became payable, are hereby required and obliged to iſſue out an attachment or attachments againſt ſuch collecting conſtable or conſtables ſo offending as aforeſaid, and him or them to commit to the gaol of St. Jago de la Vega, where he or they ſhall remain, without bail or mainpriſe, until the ſeveral ſums of money, due on the ſeveral rolls reſpectively, ſhall be paid into the hands of the receiver-general for the time being: And ſuch receiver-general is hereby empowered to take out a writ or writs of *venditioni exponas* againſt the body and goods of the ſecurity or ſecurities of each and every ſuch collecting conſtable or conſtables ſo offending, in the ſame manner and form as if judgment had been obtained againſt him or them, and "execution levied" had been returned thereon; and ſhall mark, on ſuch writ or writs, levies for ſuch ſum or ſums of money as ſhall be unpaid by each and every ſuch collecting conſtable or conſtables ſo offending as aforeſaid: And ſuch receiver-general is alſo empowered to take out the like writ or writs of *venditioni exponas* againſt the body and goods of each of the ſaid collecting conſtables who ſhall not have been taken by virtue of the attachment, or againſt the goods only of ſuch as ſhall have been attached, in the ſame manner and form as herein directed againſt his or their ſecurity or ſecurities.

attachments, and conſtables be imprisoned till money paid.

Receiver-general to take out *venditioni*'s againſt ſecurities,

and againſt perſons and properties of conſtables not taken, or property only of thoſe attached.

Clauſe XXII. REPEALED.

XXIII. And, as it will be an additional trouble to the clerks of the veſtries of each pariſh making out ſuch rolls, be it enacted by the authority aforeſaid, That each clerk of the veſtry (Kingſton excepted) ſhall be paid, by the receiver-general for the time being, twenty-five pounds *per annum*, for his trouble therein.

Allowance to clerks of veſtry, except of Kingſton.

XXIV. And be it further enacted by the authority aforeſaid, That if any juſtice, clerk of the veſtry, conſtable, receiver-general, collecting conſtable, or receiver-general's deputy, of any of the pariſhes of this iſland, ſhall neglect or refuſe his or their duty, purſuant to the true intent and meaning of this act, every ſuch perſon ſo offending ſhall, for every ſuch offence or neglect, forfeit the ſum of one hundred pounds; to be recovered, by action of debt, bill, plaint, or information, in the ſupreme court of judicature of this iſland, wherein no wager of law, eſſoin, protection, injunction, or imparlance, ſhall be granted or allowed, or *non vult ulterius proſequi* be entered; and one moiety of all the fines and forfeitures to be hereby incurred and recovered, as aforeſaid, ſhall be to our ſovereign lord the king, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof, and the other to him or them who ſhall ſue for the ſame; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Juſtices, &c. neglecting their duty, to forfeit 100*l.* for each offence.

Recovery and application thereof.

Clauſe XXVI. REPEALED

CAP. XII.

An act for repealing ſo much of an act of this iſland, paſſed in the year one thouſand ſeven hundred and eleven, entitled, "An act for regulating fees," as eſtabliſhes the fees of the collector, naval officer, ſecretary, and receiver-general, for entering and clearing all veſſels trading to and from this iſland; and for regulating the

EXPIRED,

fees of the ſeveral officers concerned in entering and clearing all ſuch veſſels; and for making certain proviſions for the better management of the offices therein mentioned.—[21ſt December, 1783.]

CAP. XIII.

EXPIRED. *An act to enable James Jones, of the pariſh of St. Catherine, in the county of Middleſex, in the ſaid iſland, eſquire, to compile, print, and publiſh, the ſeveral laws of this iſland, made and paſſed ſince the year of our Lord one thouſand ſeven hundred and ſixty-nine; and for veſting the right of printing, re-printing, and publiſhing, the ſame, in the ſaid James Jones, his executors, adminiſtrators, or aſſigns, for the time therein limited.*—[23d December, 1783.]

CAP. XIV.

EXPIRED. *An act for applying the ſurpluſage of the money that ſhall ariſe by virtue of "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," to certain uſes.*—[23d December, 1783.]

CAP. XV.

EXPIRED. *An act for laying a duty on all wines, arrack, brandy, and gin, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, arrack, brandy, and gin, and on the public offices, and on rum ſold for conſumption in this iſland; and applying the ſame to ſeveral uſes.*—[23d December, 1783.]

CAP. XVI.

EXPIRED. *An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.*—[23d December, 1783.]

Anno regni Georgii tertii viceſimo quinto.

CAP. I.

An act for the aſcertainment and regulation of emblements.

[23d December, 1784.]

Preamble. WHEREAS eſtates in this iſland differ ſo much in their nature from eſtates in that part of Great-Britain called England, and their products are ſo various in value and quality, from a diverſity of cauſes, that many doubts and uncertainties have ariſen, and ſtill exiſt, with reſpect to emblements, and it is difficult to aſcertain and ſet out the ſame to the party or parties intitled thereto; For remedy whereof, May it

pleaſe

pleaſe your moſt excellent majeſty, that it may be enacted, and be it enacted by the lieutenant-governor, council and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That, from and after the thirty-firſt day of December, in the preſent year of our Lord one thouſand ſeven hundred and eighty-four, in all caſes of emblements, it ſhall and may be lawful to and for the judges of the ſupreme court of judicature, according to the uſual courſe of the ſaid court in proceedings by affidavit before them, upon ſufficient cauſe ſhewn to them in open court upon affidavit, and which affidavit ſhall contain the name or names of the party or parties liable to ſuch emblements, to iſſue, or cauſe to be iſſued, out of the ſaid ſupreme court of judicature, and returnable into the ſame court, a writ of inquiry, directed to the provoſt-marſhal-general, thereby commanding and requiring him to warn twenty-four good and lawful men, of the neighbourhood where the lands or eſtate, out of which ſuch emblements ſhall ariſe, are ſituated (each of whom to have a freehold of the value of ten pounds *per annum* at the leaſt), to meet on the premiſes, at ſome certain day by the provoſt-marſhal to be appointed, then and there, by the oaths of twelve of the ſaid freeholders, to be choſen by ballot by the ſaid provoſt-marſhal from amongſt ſo many of the ſaid freeholders as ſhall attend by virtue of their being warned as aforeſaid, being firſt ſworn, in the preſence of one or more of his majeſty's juſtices of the peace (to be warned and attending for that purpoſe), well and truly to view, examine, and inquire, and, on full conſideration of all circumſtances, juſtly determine, the quantity, ſhare, and proportion for emblements of the crop on the ground at the death of the perſon or perſons under whom ſuch emblements ſhall be claimed as aforeſaid, and the name or names of the party or parties liable thereto, and truly appraiſe and value the ſame, according to the beſt of their judgments and conſciences; and which ſaid writ ſhall iſſue in the following form:

Judges of grand court, on ſufficient cauſe ſhewn, to iſſue writ of inquiry, commanding provoſt-marſhal to ſummon a jury of neighbours,

poſſeſſed of freeholds of 10*l. per ann.*

twelve of whom to be ſworn to apportion crop for emblements,

and inquire who is liable thereto.

GEORGE *the third, &c. To the provoſt-marſhal-general of our ſaid iſland, greeting:*

WHEREAS *it hath been repreſented to the judges of our ſupreme court of judicature, that A. B. of,* &c. *departed this life poſſeſſed of all that,* &c. (ſetting forth the premiſes); *and whereas C. D. of,* &c. *the executor of the ſaid A. B.* (or *adminiſtrator*, as the caſe may be) *hath made it appear, to the ſatisfaction of the judges of our ſupreme court of judicature, that he is well intitled to emblements of the crop on the ground at the time of the death of the ſaid A. B. And we, being willing that what is juſt and right ſhould be done, do command you that you warn, or cauſe to be warned, twenty-four good and lawful men, of the neighbourhood of the ſaid premiſes, each of whom to have a freehold of the value of ten pounds* per annum *at the leaſt, to meet on the ſaid premiſes on ſome certain day by you to be appointed, and then and there, by the oaths of twelve of the ſaid freeholders, by you to be choſen by ballot from amongſt ſo many of the ſaid*

Form of the writ of emblements.

twenty-four freeholders to be warned as ſhall attend, being firſt ſworn, in the preſence of one or more of his majeſty's juſtices of the peace, by you to be warned, and attending for that purpoſe, well and truly to view, examine, inquire, and, on full conſideration of all circumſtances, juſtly determine, the quantity, ſhare, and proportion, of the crop on the ground at the time of the death of the ſaid A. B. and the name or names of the party or parties liable to ſuch emblements, and truly to appraiſe and value the ſame, according to the beſt of their judgments and conſciences: And, having ſo done, you are to make due return thereof, openly and diſtinctly, under your hand and ſeal, and the hands and ſeals o ſuch twelve freeholders as aforeſaid, into our ſupreme court of judicature, on the laſt Tueſday, &c.

Witneſs, &c.

Provoſt-marſhal not to execute the writ until he has given fourteen days previous notic to the parties.

II. And be it further enacted by the authority aforeſaid, That the provoſt-marſhal ſhall not preſume to execute the ſaid writ until he ſhall have firſt given, to the party or parties, or to his, her, or their attorney or attornies, againſt whom ſuch writ ſhall iſſue, fourteen days notice at leaſt of the execution of ſuch writ, and that in writing ſigned by the ſaid provoſt-marſhal; and that, before he ſhall enter upon the execution of the ſaid writ, he ſhall cau e the ſervice of a true copy of the ſaid notice to be proved by affidavit in writing, ſigned in the uſual manner, and ſworn before the ſaid juſtice or juſtices; which affidavit, with the original notice ſigned by the ſaid provoſt-marſhal, the ſaid provoſt-marſhal ſhall annex to his ſaid return.

On writ being filed, judges to award amount of valuation to be paid, when they direct;

and to enforce payment by writ of execution, &c.

No appeal from their judgment.

Security may be given, in same court writ of inquiry is returned, to deliver produce in good condi-

III. And be it further enacted by the authority aforeſaid, That, upon the ſaid writ being duly returned and filed in the ſaid ſupreme court of judicature, it ſhall and may be lawful for the judges of the ſaid ſupreme court of judicature to adjudge the party, ſuing out ſuch writ as aforeſaid, the amount of ſuch valuation and appraiſement as ſhall be returned as aforeſaid, to be paid to him or them, by the party againſt whom ſuch writ ſhall iſſue, within ſuch reaſonable time as the court ſhall direct: And it ſhall and may be lawful for the judges of the ſaid ſupreme court to enforce ſuch judgment, by iſſuing a writ of execution, at ſuch time as the ſaid court, upon giving the ſaid judgment, ſhall ſee cauſe to direct; upon which execution writs of *venditioni* ſhall afterwards iſſue, according to the uſual courſe of ſaid court; and from which judgment, writ of execution, writs of *venditioni exponas*, no writ of error, appeal, eſſoin, protection, wager of law, or *non vult ulterius proſequi*, ſhall be granted or allowed; any law, cuſtom, or uſage, to the contrary notwithſtanding: Provided always nevertheleſs, That it ſhall and may be lawful for the party or parties againſt whom ſuch writ of inquiry ſhall iſſue as aforeſaid, his, her, or their attorney or attornies, upon the return thereof, and during the ſitting of the ſame court in which the ſaid writ ſhall be returnable, to appear before the ſaid ſupreme court, and then and there to enter into ſuch ſecurity as the ſaid court ſhall approve of, to deliver to the party or parties intitled to emblements,

blements, within ſuch reaſonable time as the court ſhall direct, at the uſual barquadier or ſhipping-place of the ſaid eſtate or eſtates out of which ſuch emblements ſhall ariſe, produce in kind, to the amount of ſuch valuation and appraiſement, and that in good and ſufficient caſks, or other uſual packages, according to the nature and quality of ſuch produce, and free from all deductions, charges, and expences whatſoever; any thing herein contained to the contrary in anywiſe notwithſtanding; ſuch produce, when delivered, to be valued by three indifferent perſons, one to be named by the court, and the other two by the parties reſpectively, his, her, or their attorney or attornies: Provided alſo, That, in all caſes where the lands lie in ſeveral pariſhes, diſtinct and ſeparate writs ſhall iſſue for each reſpective pariſh, and the ſame ſhall be, by the ſaid provoſt-marſhal, ſeparately and diſtinctly executed, and returned in manner as aforeſaid: And the provoſt-marſhal, when he cannot attend in perſon, ſhall be, and he is hereby, at liberty to appoint a deputy, by warrant in writing under his hand and ſeal, to execute the ſame; which warrant ſhall be annexed to the ſaid return, and made part thereof: And the ſaid provoſt-marſhal ſhall be intitled to have and receive, and he is hereby empowered to demand and take, ſuch fees, for the execution of ſuch writ or writs, as he is now intitled to receive for the return of other inqueſts into the ſaid ſupreme court of judicature.

tion, at barquadier;

when it must be valued.

Distinct writs to issue for different parishes.

Provost-marshal may appoint a deputy, by warrant, to execute the writs.

His fees to be the same as on other inquests.

IV. And be it further enacted by the authority aforeſaid, That, hereafter, no perſon or perſons ſhall enter on the lands of another, for emblements, or have any ingreſs, egreſs, or regreſs for the ſame; any law, cuſtom, or uſage, to the contrary notwithſtanding.

No irregular entry allowed for emblements.

V. And, for the better aſcertaining what ſhall be emblements, according to the true intent and meaning of this act, be it further enacted by the authority aforeſaid, That, in future, ſuch emblements ſhall be confined to the crop next ſucceeding the death of the perſon or perſons under whom the emblements ſhall be claimed as aforeſaid, if ſuch perſon or perſons ſhall depart this life before the beginning of crop; but if ſuch perſon or perſons ſhall depart this life during the crop, that then, and in ſuch caſe, the right of emblements ſhall only extend to the crop then taking off at the time of the death of ſuch perſon or perſons ſo intitled; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding: Provided nevertheleſs, That, when a tenant for life ſhall ſo die during the time of taking off the crop as aforeſaid, the jury ſhall take into their conſideration the expence of putting in the plant-canes intended to be cut the next year, and make a reaſonable allowance for the ſame to the perſon or perſons intitled to emblements as aforeſaid.

If person dies before crop begins, emblements extend to it; if during crop, they are confined to it.

Tenant for life dying during crop, allowance to be made for plant-canes.

VI. And be it further enacted by the authority aforeſaid, That if the tenant for life ſhall be off this iſland at the time of his death, or if ſuch perſon or perſons, ſo intitled to the emblements as aforeſaid, ſhall be abſent

Writ may issue after crop taken in, if tenant for life dies off the

island, or person intitled to emblements is absent.

ſent from this iſland, ſo that no writ ſhall be iſſued for the aſcertaining of ſuch emblements whilſt the crop is on the ground, or during the time the ſame is taking off, nevertheleſs ſuch perſon or perſons, ſo abſent, ſhall be intitled to iſſue ſuch writ of emblements after the crop is taken off, and to have the full benefit thereby, upon giving evidence to the jury, warned to meet on the premiſes under and by virtue of ſuch writ, of the value of ſuch crop ſo taken off as aforeſaid; any thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Negroes, monies, &c. returned upon these writs, not applicable to prior writs.

VII. And be it further enacted by the authority aforeſaid, That the negroes, monies, or goods, returned upon ſuch writ or writs of execution or *venditioni*, for or on account of emblements as aforeſaid, ſhall not be affected by, or made applicable to, any prior writ or writs againſt the perſon or perſons in remainder or reverſion, as aforeſaid; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Magistrates or jurors, being summoned, neglecting to attend the execution of these writs, subject to be fined by the supreme court.

VIII. And, to prevent delays that may happen in the execution of ſuch writ or writs, through the default of ſome one of his majeſty's juſtices of the peace before whom the jury may be ſworn, and the perſons warned as jurors on ſuch writ or writs, be it enacted by the authority aforeſaid, That, hereafter, if any perſon ſummoned, either as magiſtrate or juror, at leaſt four days before the day on which ſuch writ or writs are to be executed, ſhall neglect or refuſe to attend the execution of ſuch writ or writs, the provoſt-marſhal, or his lawful deputy attending the execution thereof, ſhall, and he is hereby required, under the penalty of twenty pounds for every neglect (to be recovered in like manner as other penalties are directed by any other act to be recovered againſt the provoſt-marſhal, or his lawful deputies), to return, into the ſaid ſupreme court of judicature, the name or names, and places of abode, of ſuch defaulters, with an affidavit of the ſervice of ſuch notice; and the judges of the ſaid ſupreme court of judicature are hereby authorized and required to lay a fine upon each and every ſuch defaulter, and to compel the payment thereof in like manner as is uſually done reſpecting jurors to attend the ſaid ſupreme court: And ſuch jurors, ſo warned to attend the execution of ſuch writ or writs of emblements, ſhall be, and they are hereby, protected in their perſons from all meſne and judicial proceſs during the time of ſuch their attendance, and in going and returning to or from the place of the execution of ſuch writ or writs; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Jurors protected from arrests during their attendance.

CAP. II.

EXPIRED. *An act to authorize and empower the juſtices and veſtry of the ſeveral pariſhes of this iſland to make and erect pounds, for the better ſecuring of all ſtrays of horſes, mares, mules, aſſes, and horned cattle, belonging to the inhabitants of this iſland.*—[23d December, 1784.]

CAP.

CAP. III.

An act for explaining and amending the ſeveral highway laws now in force, and rendering the ſaid laws more effectual.—[23d December, 1784.] REPEALED and EXPIRED.

CAP. IV.

An act to explain and regulate proceedings by foreign attachment.—[23d December, 1784.] EXPIRED.

CAP. V.

An act to regulate wharfage and ſtoreage.

[23d December, 1784.]

Preamble.

WHEREAS it is neceſſary to have the rates of wharfage and ſtoreage ſettled and aſcertained throughout this iſland: Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That, from and after the firſt day of January, which will be in the year of our Lord one thouſand ſeven hundred and eighty-five, all and every perſon and perſons keeping public wharves ſhall be obliged to keep a book, wherein he or they ſhall fairly enter the marks and numbers of all goods that ſhall be landed on, or delivered at, his or their wharf or wharves; and alſo the name or names of the perſon or perſons by whom landed or delivered, and the name or names of the perſon or perſons to whom the ſame is to be delivered, and the name or names of the veſſel or veſſels out of which the ſaid goods ſhall be taken; and alſo ſhall give receipts for all goods that ſhall be ſo delivered or landed at or upon his or their wharf or wharves: And if any owner or owners of any wharf or wharves, or any perſon or perſons acting under him or them, ſhall receive payment of any goods landed on, or delivered at, his or their wharf or wharves, or for any veſſel lying and delivering or lading thereat, the ſaid wharf or wharves ſhall be deemed and held to be a public wharf or wharves: And whatſoever wharfinger ſhall neglect to keep ſuch book, and to make ſuch entries, or give ſuch receipts as aforeſaid, if demanded, ſhall forfeit, for every offence, the ſum of ten pounds; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Wharfingers to keep a book, and enter therein the marks and numbers of all goods,

the names of persons and veſſels delivering them, and whom for; as also to give receipts.

Payment being taken for wharfage, wharf to be deemed public.

Penalty on wharfingers for any neglect or refuſal.

II. And be it further enacted by the authority aforeſaid, That all and every wharfinger or wharfingers, and he and they are hereby obliged to keep a crane, ſheds, and tarpaulins, for ſecuring goods, landed at or brought to his or their wharf or wharves, from the weather; and ſhall alſo be obliged to put all and every hogſhead or tierce of ſugar, delivered as aforeſaid, under ſuch ſheds or tarpaulins as aforeſaid, and on ſkids of the height of four inches at the leaſt from the ground; under the penalty of one hundred pounds for every default, and be further liable to an action at law for whatſoever

Wharfingers to keep a crane, sheds, and tarpaulins,

and to put sugars on skids under cover,

or forfeit 100*l.* and be liable to ac-

tions for damages; ſoever goods ſhall be damaged for want of ſuch ſheds, tarpaulins, and ſkids, or loſt or ſtolen therefrom; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

and, under like penalties, to secure rum in a store, under lock and key.

III. And be it further enacted by the authority aforeſaid, That all and every wharfinger or wharfingers, and they and each of them are and is hereby obliged to keep a ſtore, or ſufficient ſhed, for the purpoſe of receiving and preſerving, under lock and key, ſuch rum as ſhall be ſent to their reſpective wharves, under the penalty of one hundred pounds for every default, and be further liable to an action at law for whatſoever goods ſhall be damaged for want of ſuch ſheds, tarpaulins, and ſkids, or loſt or ſtolen therefrom; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Sheds to be covered with shingles or slates, &c. under penalty of 100l.

IV. And be it further enacted by the authority aforeſaid, That all and every wharfinger or wharfingers, and he and they are hereby obliged, within three calendar months after the paſſing of this act, to cover all and every ſuch ſheds, to be kept upon his and their wharf or wharves, with ſhingles, ſlates, tiles, or terraſs, under the penalty of one hundred pounds for every month the ſame ſhall remain uncovered as aforeſaid, after the expiration of the ſaid term of three months.

Wharfingers refusing to deliver goods,

when called for between particular hours,

to forfeit 100l. if payment is tendered.

V. And whereas many inconveniences may ariſe from wharfingers refuſing to deliver goods in their poſſeſſion when demanded: Be it therefore enacted by the authority aforeſaid, That, from and after the ſaid firſt day of January, which will be in the year of our Lord one thouſand ſeven hundred and eighty-five, all and every keeper or keepers of any wharf or wharves, or any perſon or perſons acting by, for, or under, him or them, who ſhall preſume to refuſe to deliver ſuch goods received, as aforeſaid, into his or their cuſtody or poſſeſſion (if demanded between the hours of ſix and twelve in the forenoon, and two and ſix in the afternoon), to ſuch perſon or perſons to whom the ſame ſhall ſtand entered in the books of ſuch wharf, or to his or their order, every ſuch wharfinger or wharfingers ſhall, for every offence, forfeit the ſum of one hundred pounds: Provided always, That payment is tendered for the wharfage and ſtoreage of ſuch goods, according to the rates hereunto annexed.

Keepers of wharves obliged to transact business at the rates in the annexed schedule;

and to weigh and gauge produce, if required,

VI. And be it further enacted by the authority aforeſaid, That all and every keeper or keepers of any public wharf or wharves, as aforeſaid, is hereby obliged to receive, ſhip, and put into a proper and good ſtore or ſtores, or other ſafe and dry places, ſuch of the goods, wares, and merchandiſes, and articles which are liable to damage by getting wet, at and after the rates and prices ſet forth in the table or ſchedule hereunto annexed; and alſo to weigh and gauge, if thereunto required, the ſundry produce of this iſland, delivered and landed at his or their wharf or wharves, or put under their care and cuſtody.

VII. And

VII. And be it further enacted by the authority aforeſaid, That every wharfinger ſhall, and he is hereby obliged, under the penalty of fifty pounds for every neglect, to enter in his wharf-book the marks and numbers of the ſeveral produce of this iſland delivered at his wharf, with the names of the eſtates from which the ſame was brought, and, if ſugars, and directed to be weighed, that he ſhall enter the weights, with the names of thoſe to whom delivered, or of the veſſels on board of which the ſame was ſhipped; and in like manner of every other produce.

Wharfingers, under penalty of 50*l.* to enter, in their wharf-books, all particulars of produce;

VIII. And be it further enacted by the authority aforeſaid, That every wharfinger ſhall, and he is hereby obliged, under the penalty of five hundred pounds for every neglect, once in any day in the month of January, in every year, to make oath, or, if a quaker, ſolemnly affirm, before any magiſtrate of the pariſh wherein his wharf is ſituate (which oath or affirmation ſuch magiſtrate is hereby empowered to adminiſter), that the accounts entered in his wharf-book, from the day of January preceding, are true and juſt; which oath or affirmation ſhall be entered in the ſaid wharf-book, on the day it ſhall be taken, in the words following:

and, under penalty of 500*l.* to attest, every January, the truth of their wharf-books.

I, *A. B. wharfinger, of do ſwear* (or *affirm*), *that all the accounts of wharfage, ſtoreage, weighing, prices, ſhipping, receiving, and delivering, of all goods, and of all produce of this iſland, brought to this wharf, and entered in this book from the day of to this day, are juſt and true, and entered, to the beſt of my knowledge, purſuant to the direction of an act entitled, "An act to regulate wharfage and ſtoreage," paſſed*
So help me God;

Form of the oath;

which oath or affirmation ſhall be ſubſcribed by the ſaid wharfinger, and acknowledged by the magiſtrate taking the ſame; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

which is to be subscribed and acknowledged.

IX. And be it further enacted by the authority aforeſaid, That each and every wharfinger or wharfingers ſhall be, and he and they is and are hereby, obliged, within three months after the paſſing this act, to affix, and conſtantly keep up in view, in ſome public place under cover from the weather, at or near the weigh-houſe, or place of weighing goods, on his or their wharf or wharves, an exact liſt of the rates of wharfage and ſtoreage, as appointed by this act, properly digeſted in an alphabetical manner, under the penalty of forty ſhillings for each and every day's neglect and delay in affixing and keeping up the ſame.

Rates of wharfage and storeage to be constantly in view at the weigh-house, under penalty of 40*s.* for every day's neglect.

X. And be it further enacted by the authority aforeſaid, That if any wharfinger or wharfingers, or any perſon or perſons acting for or under him or them, ſhall neglect or refuſe to do and perform his or their duty, as is herein before ſet forth, or ſhall preſume to aſk, demand, receive, or take, any

Penalty of 100*l.* on refusals or extortion.

any greater or larger prices or rates than thoſe herein before mentioned, for ſhipping, receiving, ſtoreing, ſkidding, weighing, gauging, and properly ſecuring, the goods and merchandiſes delivering at his or their wharf or wharves, [*he or they*] ſhall, for every ſuch offence, forfeit the ſum of one hundred pounds.

Recovery of penalties;

XI. And be it further enacted by the authority aforeſaid, That the ſeveral penalties and forfeitures in this act mentioned, and not declared how they ſhall be recorded [*recovered*], ſhall, if not exceeding ten pounds, be recovered, in a ſummary manner, before any one of his majeſty's juſtices of the peace in the pariſh or precinct where the offence ſhall be committed; which ſaid juſtice is hereby empowered, authorized, and required, to commit ſuch offender or offenders to gaol, there to remain, without bail or mainpriſe, until he or they ſhall have paid the ſame: And all penalties and forfeitures, exceeding ten pounds, ſhall be recovered, in the ſupreme court of judicature or in either of the courts of aſſize in this iſland, by action of debt, bill, plaint, or information, wherein no eſſoin or wager of law ſhall be allowed, or *non vult alterius proſequi* entered; any thing herein contained to the contrary in anywiſe notwithſtanding.

which are to go to the informer.

XII. And be it further enacted by the authority aforeſaid, That all penalties and forfeitures in this act mentioned ſhall be to the informer, or him, her, or them who ſhall ſue for the ſame.

All goods, except rum, if not taken away in two months in Kingſton, and four months at out-ports, to pay double wharfage, if ſtored.

XIII. And be it further enacted by the authority aforeſaid, That, all packages of dry goods, proviſions, bottled and all caſk liquors (rum excepted), landed on any wharf, and not taken away by the owner, or the perſon or perſons to whom the ſame ſhall be landed, in the ſpace of two months in Kingſton, and four months in all other parts of the iſland, after ſuch landing as aforeſaid, the wharfinger ſhall be intitled to aſk, demand, and receive, for all ſuch goods, ſo lying over, double the wharfage mentioned in the ſaid ſchedule hereunto annexed; provided ſuch goods ſhall have been ſtored or houſed.

A SCHEDULE, *or* TABLE OF RATES, *to which the annexed law refers.*

	l.	*s.*	*d.*
FOR each anvil - -	0	2	6
For each dozen of hoes, bills, and axes, looſe -	0	0	$7\frac{1}{2}$
For each barrel of tar and pitch	0	0	$7\frac{1}{2}$
For each barrel of beef, pork, and flour - -	0	0	5
For each barrel of herrings	0	0	$7\frac{1}{2}$
For each bag of feathers -	0	0	$7\frac{1}{2}$
For each bag of ginger under 1 *cwt.* - -	0	0	4
For each bag of piemento -	0	0	$7\frac{1}{2}$
For each ſmall bale, 200 *lb.* and under - - -	0	1	3
For each middling bale, from 200 *lb.* to 400 *lb.* -	0	2	6
For each very large bale -	0	5	0

For

	l.	s.	d.
For each ſmall beaufet -	0	2	6
For each large beaufet -	0	5	0
For each but - -	0	5	0
For each ſmall box of glaſs	0	2	6
For each large box of glaſs	0	5	0
For every four boxes of ſoap or candles - -	0	0	10
For each box of dry goods	0	1	3
For every ton of bar iron -	0	5	0
For every hundred of iron hoops, and in proportion for a greater or leſſer number -	0	0	7½
For each bundle of wain tyre	0	1	3
For every four packs of puncheon ſtaves - -	0	0	7½
For every bundle of leather	0	0	7½
For every thouſand bricks -	0	5	0
For each bureau - -	0	2	6
For each cheſt of bacon -	0	1	3
For each cheſt of arms -	0	5	0
For each cheſt of medicines, if ſmall 5s. if large -	0	10	0
For each cheſt of drawers -	0	5	0
For each cheſt of ſoap -	0	2	6
For each ſmall cheſt of oil -	0	0	7½
For each large cheſt of oil -	0	1	3
For every caſe of dry goods, according to the ſize, from 1s. 3d. to - -	0	7	6
For every caſe of iron ware, under 500lb. 1s. 3d. and all above 500lb. - -	0	2	6
For every four boxes of pickles	0	0	7½
For every ſeroon or bag of cocoa	0	1	3
For each churn cheſt of cheeſe	0	0	7½
For every eight cheeſes not in cheſts - - -	0	0	7½
For every four ſmall tubs of cheeſe - - -	0	0	7½
For every two large tubs of cheeſe - - -	0	0	7½
For every crate of earthen ware according to ſize, from 1s. 3d. to - - -	0	5	0
For each coil of cordage, according to ſize, from 7½d. to	0	5	0
For each cable, according to ſize, from 10s. to - -	1	10	0
For each coach - -	1	5	0
For each chariot - -	1	0	0
For each chaiſe - -	0	15	0
For each copper or iron boiler, from 2s. 6d. to - -	0	7	6
For each chair unpacked -	0	0	7½
For chairs in bundles -	0	1	3
For each couch - -	0	2	6
For each corner cupboard, according to ſize, from 1s. 3d. to - - -	0	3	9
For every three pieces of crocus or oſnaburghs, looſe -	0	0	7½
For every bag of cotton, and ſhipping - -	0	1	3
For each caſk of bottled liquor	0	1	3
For each ſmall caſk of nails	0	0	7½
For each large caſk of nails	0	1	3
For each carriage-gun, four and ſix pounders, 5s. and all above - - -	0	10	0
For each deſk - -	0	2	6
For each tierce of earthen ware	0	1	3
For each hogſhead of earthen ware - - -	0	2	6
For each hogſhead of fiſh -	0	1	10½
For each barrel, half-barrel or keg, of gunpowder -	0	10	0
For each grapnel -	0	1	3
For each grindſtone, if ſmall 7½d. if large - -	0	1	3
For every hogſhead of beer, rum, bread, or melaſſes -	0	1	3
For every hogſhead ſugar, for landing, wharfage, ſtoreage, weighing, and ſhipping -	0	2	6
For every thouſand of wood hoops, ſtored - -	0	5	0
For every eight hams -	0	0	7½
For each hide - -	0	0	2

	l.	s.	d.
For each hearth - -	0	5	0
For each harrow -	0	2	6
For each hamper, if ſmall 7½d. if large - -	0	1	3
For every dozen of iron pots, looſe - - - -	0	2	6
For every weight of 56 lb. -	0	0	7½
For every jar of oil, from 3¾d. to	0	2	6
For every two coopers jointers	0	0	7½
For every two kegs of paint, if large, and, if ſmall, four for	0	0	7½
For every four kegs of vinegar, tallow, tripes, bread, gruts, peaſe, and ſtarch -	0	0	7½
For every ſheet of lead -	0	2	6
For every bundle of ladles -	0	0	7½
For every thouſand feet of lumber - - -	0	5	0
For every marble ſlab, from 2s. 6d. to - - -	0	7	6
For every hundred feet of mahogany plank, ſlabs, or ſquare timber - - - -	0	1	6
For every bundle of mats -	0	1	3
For every mill-caſe, of common ſize, 1s. 3d. if large -	0	2	6
For every mouth-piece -	0	0	7½
For every dozen of ox-bows	0	0	7½
For each plough - - -	0	2	6
For each plate of furnace-mouths - -	0	0	7½
For every ſix pots and drips	0	0	7½
For every large box of pipes	0	1	3
For every ſmall box of pipes	0	0	7½
For every puncheon of rum, for landing, wharfage, ſtoreage, gauging, and ſhipping -	0	2	6
For receiving and delivering empty puncheons, each -	0	0	7½
For every tierce of rice, corn, or other grain - - -	0	0	7½
For every two barrels of rice	0	0	7½
For ſhipping off every thouſand feet of lumber - - -	0	2	6
For every bundle of ſpades, ſhovels, or jack-ſcrews -	0	1	3
For every ſmiths bellows -	0	2	6
For every eight loaves of ſugar	0	0	7½
For every ſtill-head -	0	5	0
For every ſet of truſs hoops	0	0	7½
For each ſpinet - -	0	3	9
For every thouſand ſhingles unpacked - - - -	0	2	6
For every thouſand ſhingles in bundles - - - -	0	1	3
For every thouſand ſtaves -	0	5	0
For each trunk, from 1s. 3d. to	0	5	0
For each table, from 1s. 3d. to	0	2	6
For every four boxes of tobacco	0	0	7½
For every hundred rolls of tobacco - - - -	0	5	0
For every hundred weight of tobacco - - - -	0	1	3
For every tache - -	0	2	6
For each triangle - - -	0	5	0
For each tierce of ſugar, for landing, ſtoreage, weighing, and ſhipping - -	0	1	10½
For every ton of wood, if weighed - - - - -	0	7	6
For each worm for ſtills of 500 gallons or under -	0	7	6
For each worm for ſtills from 500 to 1000 gallons -	0	10	0
For each worm for ſtills from 1000 gallons and upwards	1	0	0
For each gudgeon -	0	1	3
For each hogſhead of coals	0	1	3
For each cheſt of tea -	0	1	3
For grating bars, two for	0	0	7½
For each iron axle -	0	0	7½
For each hogſhead of lime	0	1	3
For each puncheon of temperlime - - - -	0	1	3

And that all other goods, wares, and merchandiſes, not herein particularly enumerated and ſet forth, ſhall be paid for in proportion to the foregoing rates.

CAP.

CAP. VI.

An act to empower the juſtices and veſtry, of the ſeveral pariſhes of this iſland, to ſettle and regulate the price and aſſize of bread.—[23d December, 1784.] EXPIRED.

CAP. VII.

An act for the better ſecuring the payment of rents, and preventing frauds by tenants.—[23d December, 1784.]

WHEREAS the laws now in force for ſecurity of rents, and to prevent frauds committed by tenants, have not proved ſufficient to obtain the good ends and purpoſes deſigned thereby, but rather the fraudulent practices of tenants have of late years increaſed, to the great damage of their leſſors and landlords: For remedy whereof, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That in caſe any tenant or tenants, for any term of life, lives, or years, or other perſon or perſons who are or ſhall come into poſſeſſion of any lands, tenements, ſlaves, or hereditaments, by, from, or under, or by colluſion with, ſuch tenant or tenants, ſhall wilfully hold over any lands, tenements, ſlaves, or hereditaments, after the determination of ſuch term or terms, and after demand made, and notice in writing given, for delivering the poſſeſſion thereof, by his or their landlords or leſſors, or the perſon or perſons to whom the remainder or reverſion of ſuch lands, tenements, ſlaves, or hereditaments, ſhall belong, his or [*her*] agent or agents thereunto lawfully authorized, then, and in ſuch caſe, ſuch perſon or perſons ſo holding over ſhall, for and during the time he, ſhe, or they, ſhall ſo hold over or keep the perſon or perſons intitled out of poſſeſſion of the ſaid lands, tenements, ſlaves, or hereditaments, as aforeſaid, pay to the perſon or perſons ſo kept out of poſſeſſion, their executors, adminiſtrators, or aſſigns, at the rate of double the yearly value of the lands, tenements, ſlaves, or hereditaments, ſo detained, for ſo long time as the ſame are detained; to be recovered, in any of his majeſty's courts of record in this iſland, by action of debt, wherein the defendant or defendants ſhall be obliged to give ſpecial bail; againſt the recovering of which ſaid penalty there ſhall be no relief in equity. Preamble.

Tenants holding poſſeſſion after expiration of their term, and notice in writing given by the landlord, &c. to pay double rents.

Recovery thereof.

No relief in chancery.

II. And, to obviate ſome difficulties that many times occur in the recovery of rents, where the demiſes are not by deed, be it further enacted by the

If agreement is not by deed, rents to be recovered by an action on the case.

the authority aforeſaid, That, from and after the thirty-firſt day of December, in the preſent year of our Lord one thouſand ſeven hundred and eighty-four, it ſhall and may be lawful to and for the landlord or landlords, where the agreement is not by deed, to recover a reaſonable ſatisfaction for the lands, tenements, ſlaves, or hereditaments, held or occupied by the defendant or defendants, in an action on the caſe, for the uſe and occupation of what was ſo held or enjoyed; and if in evidence, on the trial of ſuch action, any parole demiſe, or any agreement, not being by deed, whereon a certain rent was reſerved, ſhall appear, the plaintiff in ſuch action ſhall not therefore be nonſuited, but may make uſe thereof as an evidence of the *quantum* of the damages to be recovered.

If verbal agreement proved, it is to serve as evidence of the *quantum* of damages.

III. And whereas, where any leſſor or landlord, having only an eſtate for life in the lands, tenements, ſlaves, or hereditaments demiſed, happens to die before or on the day on which any rent is reſerved or made payable, ſuch rent or any part thereof, is not by law recoverable by the executors or adminiſtrators of ſuch leſſor or landlord, nor is the perſon in reverſion intitled thereto, any other than for the uſe and occupation of ſuch lands, tenements, ſlaves, or hereditaments, from the death of the tenant for life; of which advantage hath been often taken by the under-tenants, who thereby avoid paying any thing for the ſame: For remedy whereof, Be it enacted by the authority aforeſaid, That, from and after the ſaid thirty-firſt day of December, one thouſand ſeven hundred and eighty-four, where any tenant for life ſhall happen to die before or on the day on which any rent was reſerved, or made payable, upon any demiſe or leaſe of any lands, tenement, ſlaves, or hereditaments, which determined on the death of ſuch tenant for life, that the executors or adminiſtrators of ſuch tenant for life ſhall and may, in an action on the caſe, recover of and from ſuch under-tenant or under-tenants of ſuch lands, tenements, ſlaves, or hereditaments, if ſuch tenant for life die on the day on which the ſame was made payable, the whole, or, if before ſuch day, then a proportion, of ſuch rent, according to the time ſuch tenant for life lived of the laſt year, or quarter of a year, or other time in which the ſaid rent was growing due, as aforeſaid, making all juſt allowances, or a proportionable part thereof reſpectively.

On death of landlords having a life eſtate, rents to be recovered by his executors, &c. by an action on the caſe,

in due proportion.

IV. And whereas great inconveniencies have happened, and may happen to landlords whoſe tenants have power to determine their leaſes, by giving notice to quit the premiſes by them holden, and yet refuſing to deliver up the poſſeſſion when the landlord hath agreed with another tenant for the ſame: Be it further enacted by the authority aforeſaid, That, from and after the ſaid thirty-firſt day of December, one thouſand ſeven hundred and eighty-four, in caſe any tenant or tenants ſhall give notice of his, her, or their intention to quit the premiſes by him, her, or them holden,

Tenants giving notice to quit the premiſes, and holding longer poſſeſſion,

at

at the time mentioned in ſuch notice, and ſhall not accordingly deliver up the poſſeſſion thereof at the time in ſuch notice contained, that then the ſaid tenant or tenants, his, her, or their executors or adminiſtrators, ſhall, from thenceforward, pay to the landlord or landlords, leſſor or leſſors, double the rent or ſum which [*he*,] ſhe, or they, ſhould otherwiſe have paid; to be levied, ſued for, and recovered, at the ſame time, and in the ſame manner, as the ſingle rent or ſum, before the giving ſuch notice, could be levied, ſued for, or recovered; and ſuch double rent or ſum ſhall continue to be paid during all the time ſuch tenant or tenants ſhall continue in poſſeſſion as aforeſaid.

to pay double rent,

for the whole time they remain in poſſeſſion.

CAP. VIII.

An act to prevent ſlaves, ſtanding charged with any crime or offence, from availing themſelves, on their trials, of manumiſſions granted them after the commiſſion of the crime or offence for which they ſtand ſo charged.

[23d December, 1784.]

WHEREAS, by an act entitled, *An act for making free negroes, Indians, and mulattoes, evidence in all cauſes againſt one another, in all the courts of this iſland*, it is, among other things, enacted, That ſo much and ſuch part of the act of the governor, council, and aſſembly of this iſland, entitled, *An act for the better order and government of ſlaves*, which ſubjects negroes born ſlaves and afterwards manumitted to be tried for any crimes by two juſtices of the peace and three freeholders, be and ſtand repealed; and that, for the future, all ſuch negroes, Indians, or mulattoes, who had been or ſhould be manumitted by their maſters, or otherwiſe, ſhould be tried for all offences in the ſame manner as if they were born free: And whereas, ſince the paſſing of the ſaid act, it hath happened that ſlaves, after the commiſſion of crimes, have been manumitted by their owners: And whereas doubts have been entertained whether ſlaves, ſo manumitted, can be tried in the manner ſlaves are directed to be tried under the laws of this iſland: For remedy whereof, Be it enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That, from and after the paſſing of this act, no negro, mulatto, or other ſlave or ſlaves, hereafter to be manumitted, being a ſlave or ſlaves at the time of the commiſſion of any crime or offence whatſoever for which he, ſhe, or they ſhall ſtand charged, ſhall be tried and adjudged in any other manner and form than ſuch in which ſlaves are, by the laws of this iſland, directed to be tried; nor ſhall any negro, mulatto, or other ſlave or ſlaves, hereafter to be manumitted, derive, receive, or be allowed, any benefit or advantage whatſoever, on his, her, or their trial or trials, for or in reſpect of any manumiſſion or manumiſſions, purporting to be granted to him, her, or them, by his, her, or their owner or owners,

21 Geo. II. cap. 7.

Recital of part of clauſe 2 of the above act.

Slaves having committed crimes, and being afterwards manumitted, not to be tried otherwiſe than as ſlaves; nor to derive any benefit from manumiſſion, unleſs proof brought of its being

recorded before crime committed.

owners, unleſs it ſhall be fully proved, at ſuch trial or trials, by ſuch ſlave or ſlaves, manumitted or pretending ſo to be, that the manumiſſion or manumiſſions of which he, ſhe, or they would avail him, her, or themſelves, was or were actually executed and recorded in the office of the ſecretary of this iſland, and a certificate thereof granted by the commander in chief of the ſaid iſland for the time being, prior to the time of the commiſſion of the crime or offence with which ſuch ſlave or ſlaves, manumitted or pretending ſo to be, ſhall ſtand charged: Provided always, That ſuch ſlave or ſlaves, manumitted or pretending ſo to be, be charged with ſuch crime or offence within three months next from and after the commiſſion of any ſuch crime or offence as aforeſaid; any thing in the ſaid in part recited law, or in any other law, to the contrary in anywiſe notwithſtanding.

Charge must be brought within three months after offence.

CAP IX.

An act to enable the provoſt-marſhal to aſſign bail-bonds.

[23d December, 1784.]

Preamble.

WHEREAS, in caſes of arreſt upon meſne proceſs for debt, the provoſt-marſhal doth uſually take bail from the defendant, by bond to appear and anſwer: And whereas it is expedient that, upon forfeiture of ſuch bail-bonds, the provoſt-marſhal ſhould be empowered to aſſign the ſame to the plaintiff or plaintiffs in the ſaid arreſts, ſo that actions may be brought thereon in the name or names of ſuch plaintiff or plaintiffs: Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That, from and after the firſt day of January, which will be in the year of our Lord one thouſand ſeven hundred and eighty-five, in every caſe of arreſt upon meſne proceſs for debt, iſſuing out of the ſupreme court of judicature of this iſland, where the provoſt-marſhal ſhall take bail by bond for the defendant's appearance to anſwer, and ſuch bond ſhall become forfeited, the provoſt-marſhal ſhall aſſign ſuch bond unto the plaintiff or plaintiffs at whoſe ſuit the writ of arreſt ſhall have iſſued, by ſubſcribing his name, in the preſence of one witneſs, to an aſſignment endorſed upon ſuch bond; and which aſſignment ſhall be in the form following:

Bail-bonds becoming forfeited, provoſt-marſhal may aſſign them to plaintiffs.

Form of aſſignment.

I DO *hereby aſſign the within bond unto* *according to an act of the lieutenant-governor, council, and aſſembly of this iſland, in ſuch caſe lately made and provided*;

Aſſignee may ſue bail, and mark levies;

and that ſuch aſſignee or aſſignees, his or their executors or adminiſtrators, may bring action againſt the bail thereupon, in his or their own name or names, and, having obtained judgment, may mark, or cauſe to be marked, on the writ of execution, a levy for the debt and coſts, and, on writs of *venditioni exponas* to be thereupon iſſued, ſuch levy as he or they may be intitled

intitled to mark on writs to be iſſued on the judgment in the original action, and alſo a further levy for the coſts of the action upon the bail-bond: Provided always, That if the defendant in the original action ſhall, at any time before judgment obtained on the bail-bond, appear and give bail, by manucaption, to anſwer the condemnation, with coſts, in caſe [*of*] judgment upon the original action, the bail-bond ſhall become void, and the action or actions, if any, thereupon brought, be diſcontinued, upon payment of the coſts thereof: Provided alſo, That it ſhall not be lawful to iſſue any writ of *venditioni exponas* on a judgment on a bail-bond, until judgment ſhall have been previouſly had in the original action.

also levies for extra costs.

If original defendant appear, bail-bond becomes void, on paying costs.

No *venditioni* on bail-bond till judgment had on original action.

II. And whereas, ſince the thirteenth day of February, which was in the year of our Lord one thouſand ſeven hundred and ſeventy-four, divers bail-bonds have been aſſigned, and actions thereupon brought, and judgments had thereon, under a miſconception that the act of the governor, council, and aſſembly of this iſland, then made, reſpecting the aſſignment of certain *choſes* in action therein mentioned extended to bail-bonds: Be it therefore further enacted by the lieutenant-governor, council, and aſſembly, of the ſaid iſland, and it is hereby enacted by the authority of the ſame, That, from and after the paſſing of this act, no ſuch judgment ſhall at any time be reverſed, or in anywiſe impeached for ſuch error therein.

Confirmation of judgments obtained under 14 *Geo.* III. *cap.* 78.

CAP. X.

An act for the more easy redemption and foreclosure of mortgages; and to oblige mortgagees in possession to record accounts of sales of the annual crops, and accounts current respecting the same.—[23d December, 1784.]

WHEREAS mortgagees frequently bring actions of ejectment and replevin for the recovery of lands, ſlaves, and eſtates, to them mortgaged, and bring actions on bonds given by mortgagers to pay the money ſecured by ſuch mortgages, and for performing the covenants therein contained; and likewiſe commence ſuits, in his majeſty's court of chancery of this iſland, to foreclose their mortgagers from redeeming their eſtates; and the courts of law, where ſuch ejectments and replevins are to be tried, have not power to compel ſuch mortgagees to accept the principal monies and intereſt due on ſuch mortgages and coſts, or to ſtay ſuch mortgagees from proceeding to judgment and execution in ſuch actions; but ſuch mortgagers muſt have recourſe to a court of equity for that purpoſe, which doth not give relief until the hearing of the cauſe: For remedy thereof, and to obviate all objections relating to the ſame, Be it enacted by the lieutenant-governor, council, and aſſembly, of this your

Preamble,

majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That, from and after the firſt day of January, one thouſand ſeven hundred and eighty-five, where any action ſhall be brought on any bond for payment of the money ſecured by ſuch mortgage, or performance of the covenants therein contained; or where any action of ejectment or replevin ſhall be brought, in any of his majeſty's courts of record of this iſland, by any mortgagee or mortgagees, his, her, or their heirs, executors, adminiſtrators, or aſſigns, for the recovery of the poſſeſſion of any mortgaged lands, ſlaves, tenements, or hereditaments; and no ſuit ſhall be then depending in his majeſty's court of chancery of this iſland, for or touching the foreclоſing or redeeming of ſuch mortgaged lands, ſlaves, tenements, or hereditaments, if the perſon or perſons having right to redeem ſuch mortgaged lands, ſlaves, tenements, or hereditaments, and who ſhall appear and become defendant or defendants in ſuch action, ſhall, at any time pending ſuch action, pay unto ſuch mortgagee or mortgagees, his, her, or their lawful attorney or attornies, or, in caſe of his, her, or their refuſal, ſhall bring into court, where ſuch action ſhall be depending, all the principal monies and intereſt due on ſuch mortgage, and alſo all ſuch coſts as have been expended in any ſuit or ſuits, at law or in equity, upon ſuch mortgage (ſuch money for principal, intereſt, and coſts, to be aſcertained and computed by the court where ſuch action is or ſhall be depending, or by the proper officer by ſuch court to be appointed for that purpoſe), the monies ſo paid to ſuch mortgagee or mortgagees, or brought into ſuch court, ſhall be deemed and taken to be in full ſatisfaction and diſcharge of ſuch mortgage, and the court ſhall and may diſcharge every ſuch mortgager, or defendant, of and from the ſame accordingly, and ſhall and may, by rule or rules of the ſame court, compel ſuch mortgagee or mortgagees, his, her, or their attorney or attornies (at the coſts and charges of ſuch mortgager or mortgagers), to aſſign, ſurrender, or re-convey, ſuch mortgaged lands, ſlaves, tenements, and hereditaments, and ſuch eſtate and intereſt as ſuch mortgagee or mortgagees have or hath therein, and deliver up all deeds, evidences, and writings, in his, her, or their cuſtody, relating to the title of ſuch mortgaged lands, ſlaves, tenements, and hereditaments, unto ſuch mortgager or mortgagers who ſhall have paid or brought ſuch monies into the court, his, her, or their heirs, executors, or adminiſtrators, or to ſuch other perſon or perſons as he, ſhe, or they, ſhall for that purpoſe nominate and appoint.

Where action brought for money ſecured on mortgage, or ejectment or replevin for mortgaged lands, no ſuit being in chancery, if money paid to mortgagee,

or, on his refuſal, into court

(principal, intereſt, &c. being aſcertained by the court),

mortgage to be diſcharged,

and court may compel mortgagee to deliver up properties and writings.

II. And be it further enacted by the authority aforeſaid, That, from and after the ſaid firſt day of January, one thouſand ſeven hundred and eighty-five, where any bill or bills, ſuit or ſuits, ſhall be filed, commenced, or brought, in the ſaid court [*of chancery*], by any perſon or perſons having or claiming any eſtate, right, or intereſt, in any lands, ſlaves, tenements, or hereditaments, under and by virtue of any mortgage or mortgages thereof, to compel the defendant or defendants in ſuch ſuit or ſuits, having or claiming a right to redeem the ſame, to pay the plaintiff or plain-

When bills filed, in failure of payment, to foreclose equity of redemption, and defendant admits right, court of chan-

tiffs

tiffs in ſuch ſuit or ſuits the principal money and intereſt due on any ſuch mortgage, or the principal money and intereſt due on ſuch mortgage, together with any ſum or ſums of money due on any incumbrance or ſpecialty, charged or chargeable on the equity of redemption thereof, and, in default of payment thereof, to foreclоſe ſuch defendant or defendants of his, her, or their right or equity of redeeming ſuch mortgaged lands, ſlaves, tenements, or hereditaments, ſuch court of chancery, on application made by the defendant or defendants in ſuch ſuit, having a right to redeem ſuch mortgaged lands, ſlaves, tenements, or hereditaments, and upon his or their admitting the right and title of the plaintiff or plaintiffs in ſuch ſuit, may and ſhall, at any time or times before ſuch ſuit or cauſe ſhall be brought to hearing, make ſuch order or decree therein as ſuch court might have made therein in caſe ſuch ſuit or cauſe had then been regularly brought to hearing before ſuch court; and all parties to ſuch ſuit or ſuits ſhall be bound by ſuch order or decree ſo made, to all intents and purpoſes, as if ſuch order or decree had been made by ſuch court at or ſubſequent to the hearing of ſuch cauſe or ſuit; any uſage to the contrary thereof in anywiſe notwithſtanding: Provided always, That this act, or any thing herein contained, ſhall not extend to any caſe where the perſon or perſons, againſt whom the redemption is or ſhall be prayed, ſhall, by writing under his or their hands, or the hand of his, her, or their attorney, agent, or ſolicitor, to be delivered, before the money ſhall be brought into ſuch court at law, to the attorney or ſolicitor for the other ſide, inſiſt, either that the party praying a redemption has not a right to redeem, or that the premiſes are chargeable with other or different principal ſums than what appear on the face of the mortgage, or ſhall be admitted on the other ſide; nor to any caſe where the right of redemption to the mortgaged lands, ſlaves, tenements, and hereditaments in queſtion, in any cauſe or ſuit, ſhall be controverted or queſtioned by or between different defendants in the ſame cauſe or ſuit; nor ſhall be any prejudice to any ſubſequent mortgagee or mortgagees [*mortgage or mortgages*], or ſubſequent incumbrances; any thing in this act contained to the contrary thereof in anywiſe notwithſtanding.

cery may make orders without a regular hearing;

by which parties ſhall be bound.

This act not to affect caſes where right of redemption is denied,

where there are other incumbrances,

nor where the right is diſputed by different defendants;

neither is it to prejudice ſubſequent incumbrances.

III. And whereas it is a practice among mortgagees in poſſeſſion, or their attornies, to record the crops only of ſuch mortgaged properties, without ſpecifying the neat proceeds of ſuch crops, or how much of them are really applicable to the diſcharge of their ſaid mortgages; whereby the ſums of money really due upon ſuch mortgages are kept undiſcovered, to the great injury of the mortgager and his general creditors: For remedy whereof, Be it further enacted, That every mortgagee in poſſeſſion ſhall be henceforth obliged, under the penalty of five hundred pounds for every omiſſion, to record, upon oath, the whole accounts (giving credit for the neat proceeds of every crop, within eighteen months after they have recorded the ſaid crops), as well of the ſales of the annual crop, as of the accounts current reſpecting the ſame, and to ſtate how much of the ſame is applicable,

Mortgagees in poſſeſſion to record full accounts of ſales, and ſtate what ſums applied to mortgages, under penalty of 500*l.*

Recovery and application thereof.

and has been actually applied, to their ſaid mortgages; which ſaid penalty ſhall be recoverable, in the ſupreme court of judicature of this iſland, by action of debt; one moiety thereof to the uſe of the informer, and the other moiety to his majeſty, his heirs and ſucceſſors, for the purpoſes of the government of this iſland.

CAP. XI.

An act to aſcertain by whom and in what manner dividing-fences ſhall be made and kept up.

[23d December, 1784.]

Preamble.

WHEREAS it is neceſſary, and would tend very much to the promotion of good neighbourhood, to aſcertain by whom good and ſufficient dividing-fences ſhould be made and kept in order: We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this iſland, beſeech your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this iſland, and it is hereby enacted by the authority of the ſame, That, from and after the thirty-firſt day of December, in the preſent year of our Lord one thouſand ſeven hundred and eighty-four, it ſhall and may be lawful for all or every perſon or perſons, poſſeſſed of a ſettlement which had no dividing-fences, or inſufficient ones, to require his adjoining neighbour, his or her guardian or attorney, on that part where ſuch fences are wanted between them, to aſſiſt, in equitable proportion, to make or repair any or all the dividing-fences between them.

Where fences between adjoining ſettlements are wanting, or inſufficient, either neighbour may require the other to aſſiſt in the work.

II. And be it further enacted, That, in caſe any ſuch neighbour ſhall refuſe to comply with the requiſition above-mentioned, then it ſhall and may be lawful for ſuch perſon, ſo requiring, to apply to any magiſtrate to iſſue his warrant to ſummon three neighbouring freeholders, as a jury, to aſcertain the propriety of the requiſition for a fence, and what ſort of fence would be moſt proper for the ſituation, or, if an old one, what repairs are neceſſary, and, having viewed the premiſes, to make due return thereof to the ſaid magiſtrate; that then it ſhall and may be lawful for ſuch perſon or perſons, ſo requiring as aforeſaid, under the order of the ſaid magiſtrate, to proceed in laying out, making, or repairing, the ſaid fence or fences agreeably to the return of the jury before-mentioned; and that, when the work is completed, a jury of three, as aforeſaid, be ſummoned to fix the price thereof, and to conſider the particular convenience that ſuch fence or fences may be to either party, and, if they find it more beneficial to one party than to the other, that then they regulate the proportions of expence accordingly: And, in caſe of refuſal of either party to pay ſuch proportion of the expence, it ſhall and may be lawful for the ſaid magiſtrate, in caſe of ſuch refuſal having been declared to him upon oath, to iſſue his warrant of diſtreſs, to compel the payment thereof by the ſale of goods and chattels of the offender, and, if any overplus, to return it to ſuch offender, after having deducted all charges attending the ſale.

In caſe of refuſal, a jury of three to be ſummoned.

They are to make return to magiſtrate; under whoſe order complainant may complete the work;

the price of which a jury of three is to ſettle,

conſidering convenience to each.

Payment of proportion may be obtained by diſtreſs.

III. And

III. And be it further enacted, That all gates croſſing public roads connecting pen and ſugar properties, that the ſaid gates be erected, and kept in repair, by perſons having charge or care of the ſaid pen, and that a watchman be kept by perſons having charge or care of ſugar eſtates; and in all caſes of gates connecting other ſettlements, and concerning which there may be any diſpute, the regulation of the gates and the watchmen be fixed by jury, as aforementioned in the caſe of fences.

Gates to be kept up by pens, watchmen by eſtates, where they adjoin; and ſettled by jury for other adjoining ſettlements.

CAP. XII.

An act for the further regulation of the ſervice and execution of proceſs, and the returns thereof, and rendering the duty of jurors more equal; for empowering the ſupreme court of judicature to grant ſpecial juries, and alſo commiſſions for the examination of witneſſes de bene eſſe, *directed to ſuch perſons as they ſhall think fit; for repealing an act paſſed in the year of our Lord one thouſand ſeven hundred and ſeventy-nine, entitled, "An act empowering any one of the judges of the ſupreme court of judicature to take the examination of witneſſes leaving this iſland, in any action brought, or to be brought, for the recovery of debts actually in ſuit, in the ſame manner as if ſuch examinations had been taken and returned under the ſeal of the city of London, purſuant to an act of parliament paſſed in the fifth year of the reign of George the ſecond;" and for empowering the judges of the ſaid ſupreme court of judicature to take the examination of witneſſes leaving the iſland, during the vacation between the ſitting of the ſaid ſupreme court; for granting a daily ſubſiſtence to crown witneſſes confined in gaol for want of ſecurity; and for other purpoſes in the ſaid act mentioned.*—[23d December, 1784.]

EXPIRED.

CAP. XIII.

An act to encourage the breed of good and large horſes.—[23d December, 1784.]

EXPIRED.

CAP. XIV.

An act to eſtabliſh a guard in the town of Kingſton, for the ſafety and protection thereof.—[23d December, 1784.]

WHEREAS, by an act of the lieutenant-governor, council, and aſſembly, of this iſland, entitled, *An act for the better preventing miſchiefs that may happen by fire in the town of Kingſton; for the further regulating the aſſize of bread, and the nightly watch, in the ſaid town; and for other purpoſes therein mentioned,* the magiſtrates and veſtry of the ſaid town are empowered to raiſe a tax for the ſupport of the nightly watch in the ſaid town, and to make ſuch orders, regulations, and directions, for the better order and government of the ſaid nightly watch, as to them the ſaid juſtices and veſtry ſhall ſeem meet: And whereas, from the frequent enormities that have been committed in the ſaid town by armed ſailors

Preamble. 22 Geo. III. cap. 18.

ſailors in the night-time, from the daring inſults of the numerous ſlaves, the robberies that have been committed, and the many ſecret attempts that have been made to conſume the ſaid town by fire (two of which unfortunately took place, and rendered a conſiderable part thereof a heap of ruins), the inhabitants of the ſaid town have ſuffered the moſt alarming apprehenſions: To remedy which, the juſtices and veſtry of the ſaid town have, at a very great expence, increaſed the number of the ſaid nightly watch, and have uſed every effort in their power thereby to preſerve the peace and good order of the ſaid town; but it hath been found impracticable for the ſaid nightly watch to preſerve the ſaid town in peace and ſafety, by reaſon that the ſaid watch are not legally warranted to carry arms for the ſafety and protection of the ſaid town, and the ſuppreſſion of the ſaid diſorders: For remedy whereof, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted, and be it enacted by the lieutenant-governor, council, and aſſembly, of the ſaid iſland, and it is hereby enacted and ordained by the authority of the ſame, That, from and after the paſſing of this act, the ſaid nightly watch ſhall be called by the name of THE TOWN-GUARD OF KINGSTON: And the juſtices and veſtry of the ſaid town ſhall and may, yearly and every year, or as often as they ſhall think neceſſary, and they are hereby authorized and required to, order and eſtabliſh ſuch number of watchmen, conſtables, and other officers, of the ſaid town-guard, as they ſhall judge neceſſary and proper, to be kept and employed in the ſtreets and other places in the ſaid town, and to nominate and appoint ſuch honeſt and able-bodied men, to be employed in that ſervice, as they ſhall think beſt qualified for the ſame; and ſhall likewiſe direct and appoint, in writing, how and when the ſeveral watchmen and officers of the ſaid guard ſhall be ſtationed, and in what manner they ſhall be armed, how often they ſhall go their rounds, how long they ſhall continue on duty, and what wages ſhall be allowed to ſuch watchmen, conſtables, and other officers, for their attendance; and ſhall and may alſo erect, hire, or otherwiſe provide, a proper place or places for the reception of the ſaid watchmen, conſtables, and other officers, as aforeſaid, of the ſaid town-guard; and ſhall make ſuch orders and regulations, in writing, as the nature of the ſervice ſhall appear to them, the ſaid juſtices and veſtry, to require.

Name given to the Kingston nightly watch; establishment and regulation of which vested in justices and vestry.

II. And be it further enacted by the authority aforeſaid, That true copies or tranſcripts of all ſuch nominations, orders, and regulations, as ſhall be made from time to time for the better direction and government of the ſaid town-guard, ſhall be ſigned by the ſaid juſtices and veſtry: And the ſaid watchmen, conſtables, and other officers, of the ſaid town-guard, ſhall keep watch and ward within the ſtreets and other places in the ſaid town, for ſuch reſpective times, and in ſuch manner, as ſhall from time to time be appointed by the ſaid juſtices and veſtry; and ſhall, in their ſeveral turns and courſes of watching, uſe their beſt endeavours to prevent all miſ-

Transcripts of all orders, &c. respecting town-guard to be signed by the justices and vestry.

Guard to obey such orders.

chiefs

chiefs happening by fires, and all murders, burglaries, robberies, breaches of the king's peace, and all other outrages and diſorders, and tumultuous aſſemblies of ſlaves: And to that end ſhall, and they are hereby jointly and ſeverally empowered and required to, arreſt, apprehend, and detain in the watch-houſe, or other convenient place of ſecurity (to be provided or appointed by the ſaid juſtices and veſtry, within or near to the ſaid ſtreets), all malefactors, diſturbers of the king's peace, and all ſuſpected perſons who ſhall be found wandering or miſbehaving themſelves, and ſlaves without tickets from their owners; and ſhall carry them, ſo ſoon as conveniently may be, before one or more of his majeſty's juſtices of the peace acting in and for the ſaid town; to be examined and dealt with according to law: And the ſaid watchmen, conſtables, or other officers, of the ſaid town-guard, ſhall, ſo often in every night as ſhall be ordered by the ſaid juſtices and veſtry, go about their reſpective diſtricts or rounds, to take notice whether all the watchmen perform their duty in their ſeveral ſtations, according to ſuch orders and regulations as ſhall be provided for that purpoſe by the ſaid juſtices and veſtry, as aforeſaid: And in caſe any watchman ſhall miſbebave himſelf, or neglect his duty, the ſaid conſtables, or other officers of the ſaid guard, ſhall, as ſoon as conveniently may be, give notice thereof to the chief conſtable, or other officer commanding the ſame, who is hereby authorized to ſuſpend ſuch watchman from the execution of his office, and appoint another perſon to officiate therein until the next meeting of the ſaid juſtices and veſtry, when the ſaid chief conſtable, or other officer commanding the ſaid town-guard, ſhall acquaint the ſaid juſtices and veſtry, at ſuch meeting, with the complaint againſt ſuch watchman, in order for the ſaid juſtices and veſtry to proceed to the examination of the ſaid offence; and ſuch watchman ſhall be ſubject and liable to the penalty of twenty ſhillings, for every ſuch neglect or miſbehaviour, or be diſcharged from his ſaid office of watchman.

Powers of caption and detention vested in them.

Officers to see that watchmen perform their duty.

If any found negligent, they are to be suspended,

and fined 20s, or be discharged.

III. And be it further enacted by the authority aforeſaid, That if the ſaid conſtables and officers of the ſaid town-guard, or any of them, ſhall wilfully neglect, in their turn, to keep watch and ward, or ſhall not come to keep watch and ward in manner or during the times that ſhall be appointed by the ſaid juſtices and veſtry for their attendance thereon, or ſhall depart from or leave keeping watch and ward during the reſpective hours appointed by the ſaid juſtices and veſtry, as aforeſaid, for keeping the ſame, or ſhall otherwiſe neglect their duty, or miſbehave themſelves, the perſons ſo offending ſhall, reſpectively, forfeit and pay, for every ſuch neglect or offence, any ſum not exceeding five pounds, or be diſcharged from the ſaid office of conſtable, or officer of the ſaid guard, if the ſaid juſtices and veſtry ſhall think fit.

Penalty on conſtables and officers for neglect of duty.

IV. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the ſaid watchmen of the ſaid guard, or any of them, in

Watchmen, in abſence of conſtables,

to take malefactors before a magistrate.

in the abſence of the ſaid conſtables or other officers as aforeſaid, and they are hereby, reſpectively, authorized and required, in their ſeveral ſtations, during the time of their keeping watch and ward, to apprehend all ſuch malefactors, diſturbers of the king's peace, and all ſuch ſuſpected perſons who ſhall be found wandering or miſbehaving themſelves, and ſlaves without tickets from their owners, and to carry the perſon or perſons ſo apprehended, as ſoon as conveniently may be, before ſome neighbouring juſtice of the peace for the ſaid town, to be examined and dealt with according to law, and to keep ſuch perſon or perſons within the watch-houſe, or ſome other place of ſafety, in the mean time.

Penalties to be recovered by diſtreſs.

V. And be it further enacted by the authority aforeſaid, That all penalties and forfeitures, by this act impoſed, ſhall be levied and recovered by diſtreſs and ſale of the offender's goods and chattels, by warrant under the hand and ſeal of one juſtice of the peace, acting in and for the ſaid town; which warrant ſuch juſtice is hereby empowered and required to grant, upon confeſſion of the party or parties, or upon the information of any one or more credible witneſſes upon oath, which oath ſuch juſtice is hereby empowered to adminiſter; and the penalties and forfeitures, when recovered, after rendering the overplus, if any be, upon demand, to the party or parties whoſe goods and chattels ſhall be ſo diſtrained and ſold (the charges of ſuch diſtreſs and ſale being firſt deducted), ſhall be paid to the clerk of the veſtry of the ſaid town of Kingſton for the time being, and be applied towards the purpoſes of the ſaid recited act: And in caſe ſufficient diſtreſs ſhall not be found, or ſuch penalties and forfeitures ſhall not be paid forthwith, it ſhall and may be lawful to and for ſuch juſtice, and he is hereby authorized and required, by warrant under his hand and ſeal, to cauſe ſuch offender or offenders to be committed to the common gaol, there to remain, without bail or mainpriſe, for any time not exceeding ſeven days, nor leſs than forty-eight hours, unleſs ſuch penalties and forfeitures, and alſo reaſonable charges, ſhall be ſooner fully paid and ſatisfied.

Application of them.

If diſtreſs not found, offenders to be imprisoned.

Individuals of town-guard indemnified.

VI. And be it hereby enacted by the authority aforeſaid, That the watchmen, conſtables, and other officers, of the ſaid town-guard, ſo to be appointed by the ſaid juſtices and veſtry as aforeſaid, under the authority of this act, and every of them ſhall be, and they are hereby, protected and indemnified in all things which they ſhall lawfully and of neceſſity do, by virtue of this act, for the ſafety and protection of the ſaid town as aforeſaid, in like manner as if every individual of the ſaid town-guard were conſtables or peace-officers.

CAP. XV.

Expired.

An act for raiſing a tax by the poll, and on trade, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.—[23d December, 1784.]

CAP.

CAP. XVI.

An act for keeping in repair the harbour of Annotto-Bay; for regulating the mooring of ſhips in the ſaid harbour; and for reſtraining all maſters or commanders of veſſels, for the future, from heaving overboard ballaſt in the ſaid harbour of Annotto-Bay.—[23d December, 1784.]

Preamble.

FOR the repairing and maintaining the harbour of Annotto-Bay, for regulating the mooring of ſhips and other veſſels trading thereto, May it pleaſe your moſt excellent majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland, and it is hereby enacted by the authority of the ſame, That the maſters or commanders of all veſſels trading to the northward of the tropic of Cancer, which ſhall arrive in the ſaid harbour of Annotto-Bay, ſhall pay into the hands of the water-bailiff, herein after and by virtue of this act appointed, the ſums herein after mentioned; that is to ſay, Every ſhip or three-maſt veſſel, the ſum of fifteen ſhillings; every brigantine, ſnow, or bilander, the ſum of ten ſhillings; and every ſloop or ſchooner, the ſum of ſeven ſhillings and ſix pence: And all veſſels trading between the tropics, which ſhall arrive in the ſaid harbour of Annotto-Bay, ſhall pay half of the above-mentioned ſums; that is to ſay, Every ſhip or three-maſt veſſel, the ſum of ſeven ſhillings and ſix pence; every brigantine, ſnow, or bilander, the ſum of five ſhillings; every ſloop or ſchooner, the ſum of three ſhillings and nine pence; ſuggar-droggers, and other veſſels uſing the coaſting trade of this iſland, excepted, who ſhall pay two ſhillings and ſix pence every three months, and no more.

Duties to be paid for different veſſels arriving in the harbour of Annotto-Bay.

II. And, to the intent the ſaid duties may be truly paid, be it therefore enacted by the authority aforeſaid, That no receiver-general, or his deputy, ſhall clear out any ſhip or other veſſel, chargeable with the ſaid duties, until the ſaid duties be paid, or a certificate thereof produced, under the hand of the water-bailiff, of their having been paid, on pain of forfeiting, for every offence, the ſum of fifty pounds; to be recovered in the ſupreme court of judicature of this iſland, by action of debt, bill, plaint, or information, wherein no eſſoin, protection, wager of law, or injunction, ſhall be granted or allowed, or *non vult ulterius proſequi* be entered; one moiety thereof ſhall be to his majeſty, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof, and the other moiety thereof to the informer: Provided always, That in caſe the water-bailiff, appointed or to be appointed, ſhall have left with the receiver-general for the time being, or his lawful deputy aforeſaid, before the clearing out of any ſuch veſſel, a certificate, under the hand

No veſſel to be cleared out till the duties are paid, under penalty of 50*l.*

unleſs water-bailiff fails in producing the neceſſary certificate.

of the maſter or commanding officer of every ſuch veſſel reſpectively that ſhall arrive in the ſaid harbour of Annotto-Bay, that he the ſaid water-bailiff, or ſome perſon for him, hath actually attended and performed his duty in mooring ſuch veſſels reſpectively, agreeable to the intentions of this act.

Certificate to be given, on application, in three days after veſſel moored.

III. And be it further enacted by the authority aforeſaid, That the maſter or commander of every veſſel that ſhall arrive in the ſaid harbour of Annotto-Bay do and ſhall, within three days after the mooring of the ſaid veſſel, upon application made to him by the aforeſaid water-bailiff, or ſome perſon on his behalf, ſign ſuch certificate, under the penalty of forty ſhillings in caſe of refuſal; to be recovered before any juſtice for the pariſhes of St. Mary and St. George, on the oath of the ſaid water-bailiff, or ſuch perſon acting in his behalf; one moiety whereof to be paid into the hands of the churchwardens for the time being, for the uſe of the poor of the ſaid pariſhes of St. Mary and St. George, and the other moiety to be paid to the ſaid water-bailiff.

Commander in chief may appoint a water-bailiff.

IV. And, for applying the ſaid ſeveral ſums of money hereby made payable for the purpoſes aforeſaid, be it enacted by the authority aforeſaid, That it ſhall and may be lawful for the governor, or commander in chief for the time being, by inſtrument in writing under his hand and ſeal, at his pleaſure to chooſe and appoint a water-bailiff, for the better and more orderly government of the ſaid harbour, and that all ſhips and veſſels may anchor and moor in proper and regular manner and places.

Water-bailiff to be ſworn to act impartially.

V. And be it further enacted by the authority aforeſaid, That the ſaid water-bailiff ſo appointed, ſhall from time to time be ſworn before the commiſſioners herein after to be named, or any three of them, juſtly and indifferently, without partiality, to execute the office according to the ancient cuſtom and uſage of Great-Britain.

Juſtices and veſtry empowered to raiſe 50*l. per ann.* for the water-bailiff.

VI. And be it further enacted by the authority aforeſaid, That, over and above the monies to ariſe by this act, it ſhall and may be lawful to and for the juſtices and veſtry of the ſaid pariſhes, and they are hereby empowered, required, and obliged, to lay a tax on the proprietors of eſtates, in the ſaid pariſhes, who ſhip at Annotto or Jack's Bay, for raiſing a further ſum of fifty pounds *per annum*, to be paid to the ſaid water-bailiff, for his trouble in performing his duty purſuant to this act; ſuch tax to be collected and levied in the ſame manner as the parochial taxes are uſually collected and levied.

Water-bailiff to make good miſ demeſaniſing from his ignorance or negligence.

VII. And be it further enacted by the authority aforeſaid, That if the ſaid water-bailiff, by ignorance or negligence, ſhall moor any veſſel ſo as thereby any damage ſhall ariſe, the ſaid water-bailiff ſhall be liable to make good the ſame, by any bill, plaint, or information, to be brought or proſecuted

cuted in the ſupreme court of judicature: Provided always, That no perſon who is a commiſſioner, or wharfinger, ſhall be appointed a water-bailiff by virtue of this act.

Who may not be water-bailiffs.

VIII. And be it further enacted by the authority aforeſaid, That in caſe any differences or diſputes ſhall ariſe, concerning the mooring of any ſhips or veſſels directed by this act, that then, and in ſuch caſe, the ſame ſhall be ſettled and adjuſted by the commiſſioners herein-after appointed, or any three of them: And the ſaid water-bailiff, ſo to be appointed, is hereby required to follow all ſuch directions, under the penalty of twenty pounds for each offence; to be levied by warrant under the hands and ſeals of the ſaid commiſſioners, or any three of them, to be directed to any conſtable or conſtables of the ſaid pariſh.

Diſputes concerning mooring veſſels to be ſettled by commiſſioners; whoſe directions water-bailiff is to follow.

IX. And be it further enacted by the authority aforeſaid, That the juſtices and veſtrymen of the ſaid pariſhes of St. Mary and St. George for the time being, or any three of them, one whereof to be a juſtice, are hereby appointed commiſſioners to carry this act into execution.

Juſtices, &c. of St. Mary and St. George appointed commiſſioners.

X. And whereas a practice hath prevailed of heaving ballaſt out of ſhips and veſſels into the ſaid harbour of Annotto-Bay, to the great detriment and injury of ſuch harbour: For remedy whereof, and to prevent the like practice for the future, Be it further enacted by the authority aforeſaid, That, from and after the firſt day of January next, no perſon whatſoever ſhall heave or throw overboard, out of any ſhip or veſſel, any ſtones, gravel, ſand, or other ballaſt, into the ſaid harbour, under the penalty of fifty pounds for every offence; to be recovered, upon the oath of one or more credible witneſs or witneſſes, before any two juſtices of the peace for the ſaid pariſh; one half whereof ſhall be paid into the hands of the churchwardens, for the benefit of the poor of the ſaid pariſh, and the other half to the informer, or perſon ſuing for the ſame; any law, cuſtom, or uſage, to the contrary notwithſtanding.

Ballaſt not to be thrown overboard in the harbour, under penalty of 50*l.*

Recovery and application thereof.

XI. And be it further enacted by the authority aforeſaid, That, from and after the paſſing this act, the ſaid harbour-maſter for the time being ſhall have full power and authority to take charge and direction of any ſhip or veſſel whatſoever that ſhall happen to be ſet on fire, in order to extinguiſh the ſame, and prevent its ſpreading further: And that any perſon or perſons that ſhall obſtruct the ſaid harbour-maſter in the execution of ſo neceſſary and uſeful a part of his duty, ſhall forfeit the ſum of five hundred pounds; to be recovered, by bill, plaint, or information, in the ſupreme court of judicature of this iſland, wherein no eſſoin, protection, or wager of law, ſhall be allowed, or *non vult ulterius proſequi* be entered.

Harbour-maſter to have direction of any veſſel on fire, to ſtop its progreſs.

Penalty of 500*l.* on obſtructing him in ſuch duty.

CAP. XVII.

An act to prevent the captains, commanders, or masters, of ships and all other vessels whatsoever, from clandestinely carrying off this island negro or other slaves.

[23d December, 1784.]

Preamble.

WHEREAS the wicked practice of carrying slaves from this island is become very common, under pretence that such slaves were supposed to be free: For remedy whereof, May it please your most excellent majesty, that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and assembly, of this your majesty's island of Jamaica, and it is hereby enacted and ordained by the authority of the same, That, from and after the passing this act, no captain, commander, or master of any ship or other vessel whatsoever, shall, under the penalty of five hundred pounds, carry from this island, on board his ship or vessel, any free negro, free mulatto, or free Indian, without a certificate of his or her freedom first had from the custos or chief magistrate of the parish from whence his ship or vessel is to depart.

No person to carry off free negroes, &c. without a certificate, under the penalty of 500*l*,

II. And, further to prevent the great and atrocious crime of carrying slaves from this island, be it enacted by the authority aforesaid, That, from and after the passing this act, if any slave is carried from this island, in any ship or other vessel, though unknown to the captain, commander, or master, of such ship or other vessel, at the time of his departure, such captain, commander, or master, shall nevertheless be liable to pay, to the owner or proprietor of such slave, the sum of five hundred pounds, unless such captain, commander, or master, does, on his arrival at the port to which he is bound, secure such slave, and send him or her back by some good opportunity, or unless he brings back such slave in his ship or vessel on his return, and delivers him to the owner, or to such person as shall have power to receive him for such owner.

nor, under like penalty, to carry off slaves, although unknown to them at their departure, unless they return them to the owners.

III. And be it further enacted by the authority aforesaid, That if any captain, commander, or master, of a ship or any other vessel whatsoever, shall wilfully and knowingly carry away a slave from this island, without the consent of the owner, proprietor, or manager of such slave, on conviction thereof, he shall be adjudged guilty of felony, and suffer death accordingly.

Carrying off slaves wilfully, declared felony.

IV. And be it further enacted, That the several penalties in this act mentioned shall be to the informer; to be recovered, by action of debt, bill, plaint, or information, in the supreme court of judicature, or in either of the assize courts of this island, wherein no essoin, protection, or wager of law, shall be allowed, or *non vult ulterius prosequi* be entered; any law, custom, or usage, to the contrary in anywise notwithstanding.

Penalties to go to the informer. Recovery thereof.

CAP.

CAP. XVIII.

An act for granting an additional salary to his honour Alured Clarke, esquire, lieutenant-governor and commander in chief, during his administration.—[23d December, 1784.] EXPIRED.

CAP. XIX.

An act to explain, amend, and render more effectual, "*An act to augment the salary of his excellency George Haldane, esquire; and for providing certain lands and premises to be annexed to the government, for the use of the governor for the time being.*"—[23d December, 1784.] EXPIRED.

CAP. XX.

An act to repeal two several acts of this island, one entitled, "*An act for appointing commissioners for ordering and inspecting the works in and about the forts, fortifications, and barracks of this island;*" *the other entitled,* "*An act to add commissioners to those already appointed for carrying on the works in and about the forts, fortifications, and barracks of this island, and to those already appointed for building, finishing, and repairing, the public edifice in St. Jago de la Vega;*" *and for appointing commissioners for forts, fortifications, and public buildings.*—[23d December, 1784.] EXPIRED.

CAP. XXI.

An act for adding commissioners to those already made a body corporate, for building a bridge over the Rio-Cobre, in and by two several acts, one passed in the year one thousand seven hundred and seventy-five, and the other in the year one thousand seven hundred and seventy-six.

[23d December, 1784.]

WHEREAS an act was made in the sessions of assembly in the year of our Lord one thousand seven hundred and seventy-five, entitled, *An act for making certain commissioners, nominated and appointed in and by an act entitled,* "*An act to repeal an act entitled, 'An act for building a bridge over the Rio-Cobre;' and for building a bridge over the Rio-Cobre, in the parish of St. Catherine; and for other purposes therein mentioned,*" *a body politic and corporate; and to enable them to raise a certain sum of money upon the toll in the said act mentioned; and for other purposes therein mentioned:* And whereas, after making the said act, it was found, by experience, that there was not a sufficient number of commissioners, resident in or near the town of St. Jago de la Vega, to carry it into execution; therefore another act was passed in the sessions of assembly in the year of our Lord one thousand seven hundred and seventy-six, entitled, *An act for adding commissioners to those already made a body corporate, for building a bridge over the Rio-Cobre,* and for other purposes in the said act particularly Preamble. 16 Geo. III. cap. 21. 17 Geo. III. cap. 23, is hereby meant.

particularly mentioned: And whereas many of the commiſſioners, in the ſaid two ſeveral acts named, have dropped off by death, or have quitted the iſland, whereby the purpoſes meant and intended by them cannot, with conveniency, be carried into execution: Wherefore, to the end and intent that the meaning and deſign intended by the ſaid acts may be fulfilled and carried into execution, We, your majeſty's dutiful and loyal ſubjects, the aſſembly of Jamaica, moſt humbly beſeech your majeſty that it may be enacted, and be it enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and by the authority of the ſame,

New commiſſioners appointed,

That, from and after the paſſing of this act, ſir Charles Price, baronet, Edward Eaſt, Thomas Cockburn, Paul Phipps, William Peete, Hinton Eaſt, Hugh Lewis, John Rodon, Archibald Sympſon, Richard Batty, Thomas Bourke, Simon Taylor, John M'Queen, Henry Rennalls, George M'Kenzie, John Henckell, Andrew Johnſtone, Peeke Fuller, John Edward Shackleford, George Cuthbert, Thomas Wynter, John Jackſon, James Jones, Zachary Bayly Edwards, Alexander M'Leod, Edward Brailsford, William Dunlop, and George French, eſquires, and each and every of them, ſhall be, and they are hereby appointed, commiſſioners for all and every the purpoſes in the ſaid two ſeveral acts mentioned; and ſhall be, and they are hereby appointed as, part of the ſaid corporation or company,

with equal powers as thoſe appointed by the former acts.

with all the powers and authorities whatſoever in the ſaid firſt above-mentioned act, or any other act, contained, and that as fully, amply, and effectually, as if they and each of them had been particularly named and ſet down in the ſaid act, or any other act; any law, cuſtom, or uſage, to the contrary notwithſtanding.

Public act.

II. And be it further enacted by the authority aforeſaid, and it is hereby enacted and declared, That this act ſhall be deemed and allowed to be a public act, and be judicially taken notice of as ſuch by all judges, juſtices, and other perſons, without ſpecially pleading the ſame.

CAP. XXII.

EXPIRED. *An act to prevent horſe-ſtealing, and for preventing the ſtealing and deſtroying of ſheep, goats, and other cattle.*—[23d December, 1784.]

CAP. XXIII.

EXPIRED. *An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.*—[23d December, 1784.]

CAP. XXIV.

EXPIRED. *An act for applying the ſurpluſage of the money that ſhall ariſe by virtue of "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," to certain uſes.*—[23d December, 1784.]

CAP.

CAP. XXV.

An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.—[23d December, 1784.] EXPIRED.

CAP. XXVI.

An act for laying a duty on all wines, arrack, brandy, and gin, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, arrack, brandy, and gin, and on the public offices, and on rum ſold for conſumption in this iſland; and applying the ſame to ſeveral uſes.—[23d December, 1784.] EXPIRED.

CAP. XXVII.

An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes.—[23d December, 1784.] EXPIRED.

CAP. XXVIII.

An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations.—[23d December, 1784.] EXPIRED.

CAP. XXIX.

An act for eſtabliſhing and declaring rules and articles of war.—[23d December, 1784.] EXPIRED.

Anno regni Georgii tertii viceſimo ſexto.

CAP. I.

An act for laying a duty on all wines, arrack, brandy, and gin, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, arrack, brandy, and gin, and on the public offices, and on rum ſold for conſumption in this iſland; and applying the ſame to ſeveral uſes.—[24th December, 1785.] EXPIRED.

CAP. II.

An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums EXPIRED.

ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.—[24th December, 1785.]

CAP. III.

EXPIRED. *An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.*—[24th December, 1785.]

CAP. IV.

EXPIRED. *An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes.*—[24th December, 1785.]

CAP. V.

EXPIRED. *An act for eſtabliſhing and declaring rules and articles of war.*—[24th December, 1785.]

CAP. VI.

EXPIRED. *An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain regulations.*—[24th December, 1785.]

CAP. VII.

An act for veſting the common lands of the town of Titchfield, in the parish of Portland, in trustees, for the purpoſe of raiſing a fund for erecting and maintaining a free-ſchool in the ſaid town; and for other purpoſes therein mentioned.—[24th December, 1785.]

Preamble.

WHEREAS, in and by a certain act of the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, paſſed in the year one thouſand ſeven hundred and twenty-two, entitled, *An act for ſettling the north-eaſt part of the iſland*, it was, amongſt other matters, therein enacted, That fifty acres at a certain place therein named Pattiſon's Point, together with twenty acres on Ruther's or Lynch's Iſland, ſhould be allotted for a town or towns, to be granted in lots and as foot-land; and it was alſo thereby enacted, That two hundred and fifty acres, adjoining to the ſaid piece or parcel of land ſo intended for a town or

9 Geo. I. cap 8. Recital of *part of clauſe* 6,

and of *clauſe* 7, *of the above act.*

or towns at Pattiſon's Point, ſhould be for ever thereafter taken, deemed, and reputed, as a common belonging to the ſaid town or towns; and the ſame was thereby declared to be a common belonging and appertaining to the ſaid intended town or towns accordingly; and that the ſame, and every part thereof, ſhould be for evermore unalienable by your majeſty, your heirs or ſucceſſors, to any other uſe, intent, or purpoſe whatſoever: And whereas a town was afterwards built at Pattiſon's Point aforeſaid, which is called or known by the name of the town of Titchfield: And whereas, in and by one other act of the governor, council, and aſſembly, of this iſland, paſſed in the year one thouſand ſeven hundred and twenty-five, entitled, *An explanatory act for the further encouraging the ſettling the pariſh of Portland*, it was, amongſt other matters and things, therein enacted, That, for the enlarging the ſaid town of Titchfield, and more regular laying out and ſpeedy and commodious building of the ſame, there ſhould be added to and laid out, as part of the town of Titchfield, fifty acres more of the land next adjoining to the fifty acres laid out for a town at Pattiſon's Point, to be granted and laid out in lots, in like manner as the ſaid other fifty acres; and alſo one hundred acres more, next adjoining to the two hundred and fifty acres laid out for a common belonging to the ſaid town, be added to and taken as a part and parcel of the ſaid common for the enlarging thereof: And whereas, although the ſaid three hundred and fifty acres of land were ſo granted and appropriated by the ſaid ſeveral acts for the purpoſe only of being a common, for the general convenience and benefit of the inhabitants of the ſaid town of Titchfield, yet divers individuals have unlawfully encroached thereupon, and taken up and cultivated divers parcels of the ſaid common land for their own private benefit and advantage, and for which they are juſtly chargeable with a reaſonable rent or hire for the ſame, to the uſe or benefit of the ſaid town and the inhabitants thereof; but there being no perſon or body politic or corporate who might lawfully agree or ſue for the ſame, for the benefit of the ſaid town and its inhabitants, ſuch advantage is in danger of being entirely loſt to them: And whereas, by the means aforeſaid, and by other means, the ſaid common lands have become of little or no uſe or profit to the ſaid town: And whereas it will be more beneficial to the ſaid town, and more for the encouragement of the ſettling and enlarging thereof, that the ſaid lands be veſted in certain truſtees, as a fund for the erecting and ſupporting a free-ſchool for the education of the children of the inhabitants of the ſaid town and pariſh, and of the other inhabitants of this iſland, who may not find it convenient to ſend their children elſewhere for education: We, your majeſty's moſt dutiful and loyal ſubjects, do beſeech your majeſty that it may be enacted; Be it therefore enacted by the lieutenant governor, council, and aſſembly of this your majeſty's iſland, and it is hereby enacted by the authority of the ſame, That, from and after the paſſing of this act, the commander in chief of this iſland for the time being, the honourable the four ſenior privy-counſellors for the time being, the honourable the ſpeaker

12 *Geo.* I. *cap.* 10.

Recital of *part of clauſe* 3 *of the above act.*

Appointment of truſtees for Titchfield free-ſchool.

ſpeaker of the aſſembly for the time being, the repreſentatives of the ſaid pariſh for the time being, the honourable the chief juſtice for the time being, and the *cuſtos rotulorum* and the four ſenior magiſtrates, the churchwardens and veſtrymen of the pariſh of Portland, and the rector of the ſaid town of Titchfield, for the time being, and ſix of the inhabitants of the ſaid pariſh, ſuch as the freeholders ſhall annually elect on the day appointed by law for the election of churchwardens and veſtrymen for the ſaid pariſh, ſhall be, and are hereby appointed, truſtees for the direction and management of a free-ſchool to be erected in or near the ſaid town of Titchfield; five of which truſtees ſhall be a *quorum* to do buſineſs.

Truſtees incorporated.

Their name.

The 350 acres of land veſted in them,

II. And be it enacted by the authority aforeſaid, That the ſaid truſtees, and they who ſhall ſucceed them, ſhall be and ſtand for ever incorporated, in name and in deed, a body politic incorporate, by the name of THE TRUSTEES OF THE TITCHFIELD FREE-SCHOOL; and by that name they and their ſucceſſors ſhall and may, for ever hereafter, have, hold, and enjoy, the ſaid three hundred and fifty acres of land, adjoining to the ſaid town of Titchfield, and heretofore appropriated as and for common lands, as aforeſaid; and that the ſame three hundred and fifty acres of land, with all rights and appurtenances thereunto belonging, be, from the paſſing of this act, veſted in the ſaid truſtees and their ſucceſſors for ever, for the purpoſe of erecting a free-ſchool, and as a fund for endowment and ſupporting thereof in all times to come; the ſaid two ſeveral herein before-mentioned acts, and any clauſes, matters, and things therein, or in either of them, to the contrary notwithſtanding.

for erecting and endowing the free-ſchool.

Corporate powers of the truſtees;

who are to have a common ſeal,

III. And be it further enacted by the authority aforeſaid, That the ſaid truſtees, and their ſucceſſors, or the major part of them, from and immediately after the paſſing of this act, ſhall and may have full power and ability to enter upon and poſſeſs the ſaid lands hereby veſted, and to bring any actions that may be neceſſary for recovery of ſuch poſſeſſion of the ſame, or of any part or parts thereof, and for recovery of all damages, rents, hire, or other recompenſe, for the uſe and occupation of the ſame, either for the time paſt or in the future; and ſhall and may have power and ability to demiſe or leaſe all or any part or parts of the ſaid lands, for ſuch rents as may be had for the ſame, and to take, acquire, and purchaſe, to ſue and be ſued, and to do, perform, and execute, all and every lawful act and things, good, neceſſary, and profitable, for the ſaid corporation, in as full and ample manner and form, to all intents, conſtructions, and purpoſes whatſoever, as any other corporation or body politic and corporate, fully and perfectly incorporated, may or ought to do: And that they the ſaid truſtees, and their ſucceſſors, may have and uſe a common ſeal for the making, granting, and demiſing, of ſuch their demiſes or leaſes, and for the doing of all and every other things touching or in anywiſe concerning or appertaining to the ſaid corporation; in which ſeal ſhall be engraven,

Apollo

Apollo directing youth to the temple of Fame, erected on a ſteep hill, Fame ſounding a trumpet on the top of the dome, with this motto, "*virtute & eruditione*;" and that the ſaid ſeal ſhall be depoſited and kept in the hands of the *cuſtos rotulorum* of the ſaid pariſh of Portland for the time being.

with this device.

Cuſtos to keep it.

IV. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the ſaid truſtees, and their ſucceſſors, to erect or build a proper houſe for the purpoſe of, and as and for, a free-ſchool houſe, with proper and ſufficient out-houſes, and to endow the ſame in proportion to their revenues; and, until ſuch houſe can be conveniently built, to hire one, ſuch as they ſhall think fit for the purpoſe, for the abiding, dwelling, and neceſſary uſe, of one or more maſters or uſhers for inſtructing youth, without charge to their parents, in reading, writing, arithmetic, Latin, Greek, the mathematics, and any other parts or branches of learning the ſaid truſtees ſhall think proper: And that they the ſaid truſtees, and their ſucceſſors, or the major part of them, ſhall have full power and authority to nominate and appoint ſuch perſon or perſons as they ſhall think proper or qualified to be maſters and uſhers of the ſaid ſchool, provided that they be of the Chriſtian religion, of the church of England, and are well affected to the proteſtant ſucceſſion; and, upon any miſbehaviour or diſability, to remove the ſaid maſters or uſhers, or any of them, and, when any ſuch place ſhall become vacant, by death, reſignation, or deprivation, the ſaid truſtees, and their ſucceſſors, ſhall and may, within three months after ſuch vacancy, by writing under their common ſeal, appoint one or more, qualified as aforeſaid, in place of them and every of them ſo dead, reſigned, or deprived.

Truſtees to build a houſe for the ſame free ſchool;

to hire one till it is completed;

appoint a maſter and ushers,

and remove them.

V. And be it further enacted by the authority aforeſaid, That the ſaid truſtees, and their ſucceſſors, or the major part of them, ſhall and may receive into the ſaid free-ſchool as many children as they ſhall think proper, in proportion to the revenues of the ſaid ſchool, the children of the inhabitants of the ſaid town always to be preferred to others; and, upon any miſbehaviour or inability, or upon their attaining the age of eighteen years, to remove or diſcharge them or any of them, and to take and receive others into the ſaid free-ſchool in their place and ſtead: And that the ſaid truſtees, or their ſucceſſors, or the major part of them, ſhall and may, from time to time, expend ſuch ſum or ſums of money, in proportion to the revenues of the ſaid ſchool, in and about the repairing, maintaining, upholding, or enlarging, the ſaid ſchool, and buildings thereunto belonging, as they ſhall think convenient, requiſite, and neceſſary.

Truſtees to admit children, thoſe of the inhabitants of Titchfield having preference;

to diſmiſs them on ill-behaviour, or at eighteen years of age.

Truſtees may enlarge or repair the buildings.

VI. And be it enacted by the authority aforeſaid, That the ſaid truſtees, and their ſucceſſors, or the major part of them, ſhall and may have full power and authority, under the ſaid common ſeal, to make, ordain, and preſcribe, ſuch rules and ordinances for the good order and govern-

Regulations for the ſchool to be made by truſtees.

ment of the ſaid free-ſchool, and of the ſaid maſters, uſhers, and children, and for ſettling their and every of their ſtipends and allowances, as to them ſhall ſeem meet, convenient, and neceſſary; and that the ſaid rules and ordinances, by them or the major part of them ſo made, ordained, and preſcribed as aforeſaid, ſhall ſtand and be in full force and ſtrength in law, the ſame not being repugnant or contrary to his majeſty's prerogative, nor the laws and ſtatutes of Great-Britain and this iſland: And that the ſaid truſtees, and their ſucceſſors, or the major part of them, ſhall and may have full power and authority to viſit the ſaid ſchool, and to order, reform, and redreſs, all diſorders and abuſes in and touching the government and management of the ſame, in ſuch manner and at ſuch times as to them ſhall ſeem fit.

Who may viſit it, to reform diſorders.

VII. And be it further enacted by the authority aforeſaid, That it ſhall not be lawful for any of the ſaid truſtees, or their ſucceſſors, to keep in his or their hands for above thirty days, or to apply to his or their own uſe and benefit, or to take or borrow on intereſt, any ſum or ſums of money given to or for the uſe of the ſaid free-ſchool, or that ſhall ariſe or become due to the ſaid free-ſchool for intereſt or rent; nor ſhall they or any of them buy, ſell, rent, or leaſe, to any or either of themſelves, or to any other for their or any of their private uſe or benefit, any part of the lands aforeſaid, or of any other lands, tenements, or hereditaments, which may hereafter be given, ſettled, or purchaſed, for the uſes aforeſaid.

Truſtees not to apply any of the property to their own advantage.

VIII. And be it enacted by the authority aforeſaid, That any perſon or perſons offending or acting contrary to the true intent and meaning of this act, ſhall forfeit the ſum of five hundred pounds; one third to his majeſty, his heirs and ſucceſſors, for and towards the government of this iſland, one third for the uſe of the ſaid free-ſchool, and the other third to the informer, or him or them who ſhall ſue or proſecute for the ſame; to be recovered, by bill, plaint, or information, in any of the courts of record of this iſland, wherein no eſſoin, protection, or wager of law, ſhall be allowed, or *non vult ulterius proſequi* entered; any law, cuſtom, or uſage, to the contrary notwithſtanding.

Penalty of 500 *l.* on offending againſt this act.

Recovery and application thereof.

CAP. VIII.

EXPIRED. *An act for appointing Stephen Fuller, eſquire, an agent in Great-Britain, to ſolicit the paſſing of laws, and for tranſacting in Great-Britain other public affairs of this iſland; and for empowering certain members of the council and aſſembly, from time to time, as occaſion ſhall require, to give inſtructions for ſuch his management.*—[24th December, 1785.]

CAP.

CAP. IX.

An act for regulating the proceedings of surveyors of land, and for the better regulating and establishing their fees.—[24th December, 1785.] EXPIRED.

CAP. X.

An act for the prevention of indebted persons from departing this island in time of martial law; and to empower the judges and justices to exercise their several offices in certain cases; and to empower the justices and vestry, and churchwardens, and surveyors of highways, to discharge their several duties; and to enable landlords to distrain for rent, notwithstanding martial law.—[24th December, 1785.] EXPIRED.

CAP. XI.

An act for adding commissioners to those already appointed in and by an act entitled, "An act for explaining, amending, and rendering more effectual, 'An act for amending and keeping in repair the road leading from St. Jago de la Vega, in the parish of St. Catherine, to St. Jago Plantation, in the parish of Clarendon'; and for vesting in trustees the toll raised by a turnpike on the said road, for the purposes aforesaid."—[24th December, 1785.] EXPIRED.

CAP. XII.

An act for altering and amending an act entitled, "An act for altering, amending, and keeping in repair, the road leading from the town of Kingston, through the parishes of Port-Royal and St. David, through Four-Mile-Wood, to Yallah's Bay, and thence through Morant-Bay and Port-Morant, to the harbour of Manchioneal; and for vesting in trustees the toll or tolls to be raised by a turnpike or turnpikes on the said road, for the purposes aforesaid."—[24th December, 1785.] EXPIRED.

CAP. XIII.

An act for the more effectual ascertaining and collecting the transient tax, payable for the support of the nightly watch of the town of Kingston; and for other purposes in the said town.

[24th December, 1785.]

WHEREAS an act entitled, *An act for the better preventing mischiefs that may happen by fire in the town of Kingston; for the further regulating the assize of bread, and the nightly watch, in the said town; and for other purposes therein mentioned*, in so far as relates to the taxing of transient trading men, has been found ineffectual: May it please your majesty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and assembly, of this island, and it is hereby enacted and ordained by the authority of the same, That, from and after the thirty-first day of December, in the present year of our Lord one 22 Geo. III. cap. 19.

Persons selling merchandises, and

not being in the parish-rolls, to be deemed transient traders. They are to be taxed every time they arrive, not exceeding 40s. *per cent.* on their invoices.

one thouſand ſeven hundred and eighty-five, all perſons who ſhall arrive at the ſaid town or pariſh of Kingſton, with goods or merchandiſe for ſale, and who are not taxed upon the pariſh-rolls, ſhall be deemed tranſient traders: And that, after the ſaid thirty-firſt day of December, in the year aforeſaid, the juſtices and veſtry of the ſaid town or pariſh may, and are hereby authorized and required to, aſſeſs and tax ſuch tranſient traders as often as they ſhall arrive at the ſaid town; ſo as the ſum or ſums of money, at which ſuch tranſient traders ſhall be aſſeſſed, ſhall not exceed the ſum of two pounds *per centum* on the amount of the invoice or invoices of ſuch cargo or cargoes ſo by them imported, whether they ſell the ſame by private or public ſale, or by wholeſale, retail, or through the medium of a vendue-maſter: And in caſe ſuch tranſient trading perſon or perſons ſhall neglect to produce his, her, or their invoice or invoices to the ſaid juſtices and veſtrymen, when required, it ſhall and may be lawful for the ſaid juſtices and veſtrymen to aſſeſs ſuch tranſient trader or traders, at the ſame *ratio*, upon the beſt information they can obtain of the true value of ſaid cargo or cargoes: Provided always, That if any perſons ſo aſſeſſed ſhall think themſelves over-rated, they ſhall be redreſſed, on taking and ſubſcribing the following oath in open veſtry:

If invoice not produced, they are to be asses-ed on the best information.

Redress may be obtained for over charges.

Oath for that purpose.

I, *A. B. being duly ſworn on the holy evangeliſts, do ſolemnly depoſe and atteſt by this oath* (or, being a quaker, *do ſolemnly affirm*), *that the invoice or invoices, now by me produced, is or are the true, original, and genuine, invoice or invoices of all the goods, wares, merchandiſes, ſlaves, or effects, imported by me in the from either on my own account, or as factor, agent, ſupercargo, or in truſt for others, or howſoever, for ſale; and that the ſame amounts to no more than the ſum of current money of Jamaica; and that I have not, under cover of the name or names of any of the inhabitants of this town, or by any other means, directly or indirectly, attempted to evade the tax to which tranſient traders are by the laws of this iſland liable. So help me God.*

Sworn before me in open veſtry, this day of

which oath, or affirmation, any one of the juſtices preſent is hereby empowered to adminiſter: Provided alſo, That if any tranſient trader ſhall, previous to entering the veſſel and cargo at the cuſtom-houſe, conſign his cargo for ſale to any inhabitant within the ſaid pariſh, ſtanding aſſeſſed with his parochial taxes in the pariſh-books, at the uſual and accuſtomed commiſſion charged on the ſales of ſuch cargo, which cargoes of the ſame nature and from the ſame place are ſubject and liable to, for ſales and remittances, and on ſuch tranſient trader taking and ſubſcribing the following oath:

If transient traders consign their cargoes to any inhabitant paying taxes, taking this oath,

I, *A. B. do ſwear* (or, being a quaker, *do ſolemnly affirm*), *that I did conſign, previous to the entry at the cuſtom-houſe, all the merchandiſe imported by me in the ſhip or veſſel from either on my own account, or conſigned to me as agent or factor, in the ſaid veſ-*

ſel,

ſel, to to whom I have agreed to give, and will allow, the uſual and cuſtomary commiſſions that are charged by the merchants of Kingston, on goods conſigned from the ſaid place, without any colluſion whatever, by receiving back any part of the ſaid commiſſions, or abatement, in order to evade the payment of the tax aſſeſſed me by the juſtices and veſtry, as a tranſient trader. So help me God;

and alſo, that the conſignee or conſignees of ſuch cargo do, in corroboration thereof, take and ſubſcribe the following oath; which conſignee must corroborate by this oath,

I, *A. B. do ſolemnly ſwear* (or, being a quaker, *do ſolemnly affirm*), *that C. D. maſter or ſupercargo of the from to this port, hath duly conſigned the cargo on board the ſaid veſſel to me, and that I ſhall charge the ſales thereof with the uſual and cuſtomary commiſſions that are charged for ſales of the like commodities from the ſaid port of and that I have not agreed to, nor will by any means whatever, either directly or indirectly, refund or remit any part of the ſaid commiſſions, either to the ſaid C. D. or to any other perſon or perſons in truſt for him, or the real and true owner of the ſaid property ſo conſigned to me. So help me God;*

(and in caſe any perſon, taking any of the ſaid oaths hereby appointed, ſhall thereby commit wilful and corrupt perjury, and be thereof convicted, he, for every ſuch offence, ſhall incur the pains and penalties of the law for the ſame; which oaths or affirmations any one of the juſtices for the ſaid pariſh is hereby authorized to adminiſter); then, and in ſuch caſe only, it ſhall and may be lawful for the juſtices and veſtrymen aforeſaid to remit the whole of ſuch tranſient tax. (punishment for taking the oaths falsely) vestry may remit the transient tax.

II. And be it further enacted, That if any tranſient trader or traders ſhall refuſe to pay the taxes aſſeſſed on him or them by the juſtices and veſtry, that then his or their goods or merchandiſe ſhall be immediately levied on; and if no diſtreſs can be had, that then the body or bodies of ſuch tranſient trader or traders ſhall be liable to arreſt, and held to bail, for the amount of the tax ſo aſſeſſed. Transient traders refuſing to pay said taxes, their goods to be levied on, or persons arrested.

CAP. XIV.

An act to regulate the fees of the governor's ſecretary.—[24th December, 1785.] EXPIRED.

CAP. XV.

An act for extending the time for giving-in an account of lands, agreeably to an act for the better diſcovery and recovering of the quit-rents.—[24th December, 1785.] EXPIRED.

CAP. XVI.

An act for giving an additional allowance for the ſupport of negroes confined in gaol, for a certain time.—[24th December, 1785.] EXPIRED.

Anno regni Georgii tertii viceſimo ſeptimo.

CAP. I.

EXPIRED. *An act to regulate the trials of controverted elections or returns of members to ſerve in aſſembly.*—[23d December, 1786.]

CAP. II.

An act to explain and amend an act entitled, "An act to regulate wharfage and ſtoreage," ſo far as the ſaid act relates to the towns of Kingſton and Morant-Bay.

[23d December, 1786.]

Preamble.

WHEREAS the rates of wharfage and ſtoreage, as ſettled by an act of the lieutenant-governor, council, and aſſembly, of this iſland, paſſed in the year of our Lord one thouſand ſeven hundred and eighty-four, entitled, *An act to regulate wharfage and ſtoreage*, have, ſo far as the ſame relates to the towns of Kingſton and Morant-Bay, been found inadequate to the expences of carrying on the wharfage buſineſs in the ſaid towns, and keeping wharves and ſtores in proper repair for that purpoſe: And whereas the planters, merchants, and factors, in the ſaid towns and the neighbourhood thereof, are ſo well convinced thereof, that the greateſt number of them allow their wharfingers to make higher charges than are allowed to be made by the ſaid act; but as others do not, and executors, adminiſtrators, and truſtees, cannot allow the ſame, many diſputes, detrimental to trade in general, have ariſen between the wharfingers and the importers, ſhippers, or receivers, of goods, as alſo between the planters, factors, and merchants, ſhipping the ſtaple commodities or produce of this iſland: For remedy whereof, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of Jamaica, moſt humbly beſeech your majeſty that it may be enacted, and be it enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That, from and after the paſſing of this act, the rates of wharfage and ſtoreage, in the ſaid towns of Kingſton and Morant-Bay, for the ſeveral articles herein-after mentioned, ſhall be as follows; *viz.* For landing, wharfage, ſtoreage, and weighing, every hogſhead of ſugar, two ſhillings and ſix pence; for ſhipping every hogſhead of ſugar, one ſhilling and three pence; for landing and piling every one thouſand feet of lumber, including ſtaves and heading, ten ſhillings; for ſhipping ditto, five ſhillings; for landing every one thouſand of cypreſs ſhingles, looſe, five ſhillings; ditto, packed, two ſhillings and ſix pence; for ſhipping every one thouſand of cypreſs ſhingles, looſe, two ſhillings and ſix pence; for ſhipping ditto, packed, one ſhilling and three pence; for land-

25 Geo. III. cap. 5.

Variation, for Kingſton and Morant-Bay, of the rates eſtabliſhed for ſundry articles by the [illegible]ve act.

ing

ing every one thouſand of common ſhingles, looſe, three ſhillings and nine pence; ditto, packed, one ſhilling and ten pence halfpenny; for landing every tierce of rice, corn, or other grain, one ſhilling and three pence; for ſhipping ditto, ſeven pence halfpenny; for landing every one thouſand bricks and tiles, and piling the ſame, ſeven ſhillings and ſix pence; for landing, weighing, counting, and ſtoreing, every ton of Nicaragua wood, ten ſhillings; for ſhipping ditto, five ſhillings; for landing every hogſhead of ſalt-fiſh, coals, or lime, two ſhillings and ſix pence; for landing, gauging, and ſtoreing, every puncheon of rum, one ſhilling and ten pence halfpenny; for ſhipping ditto, one ſhilling and three pence; for landing every bundle of iron hoops, one ſhilling and three pence; for every tierce of bottled liquor, two ſhillings and ſix pence; for landing every barrel of beef, pork, or flour, ſeven pence halfpenny; for landing, ſtowing, and gauging, every pipe of wine, five ſhillings; for ſhipping ditto, two ſhillings and ſix pence; for landing every tierce of ſugar, one ſhilling and ten pence halfpenny; for ſhipping ditto, one ſhilling and three pence; for landing and weighing every bag of cotton, two ſhillings and ſix pence; for ſhipping ditto, one ſhilling and three pence; for landing and weighing every pocket of cotton, one ſhilling and three pence; for ſhipping ditto, ſeven pence halfpenny; any thing in the ſaid recited act contained to the contrary thereof in anywiſe notwithſtanding: And, for all other articles whatſoever, the rates of wharfage in the ſaid towns ſhall be as expreſſed in the ſchedule annexed to the ſaid recited act.

Other articles to remain as thereby ſettled.

II. And be it further enacted by the authority aforeſaid, That all packages of dry goods, proviſions, bottled and caſk liquors (rum excepted), landed on any wharf in the ſaid towns of Kingſton and Morant-Bay, and not taken away by the owner, or the perſon or perſons to whom the ſame ſhall be landed, in the ſpace of two months in Kingſton, and of four months at Morant-Bay, after ſuch landing as aforeſaid, the wharfinger ſhall be intitled to aſk, demand, and receive, for all ſuch goods ſo ſtored and lying over, double the wharfage, and, for every month thereafter, at the rate of one half wharfage, ſo long as the ſaid goods ſhall remain upon the wharf ſo ſtored and houſed.

Certain articles, if not taken away in two months in Kingſton, and in four at Morant-Bay, to pay double wharfage, and half wharfage every month after.

III. And be it further enacted by the authority aforeſaid, That, for all lumber, logwood, fuſtic, and other dying woods, ebony, mahogany, and hard timbers, coals, bricks, and tiles, landed on any wharf in the ſaid towns of Kingſton and Morant-Bay, and not taken away by the owner, or the perſon or perſons to whom the ſame ſhall be landed, in the ſpace of one month in Kingſton, and of two months at Morant-Bay, after ſuch landing as aforeſaid, the wharfinger ſhall be intitled to aſk, demand, and receive, one fourth part of the ſaid wharfage, and, for every month thereafter, at the like rate, ſo long as the ſame ſhall remain on ſuch wharf.

Others, if not taken away in one month in Kingſton, and two in Morant-Bay, to pay one fourth of the wharfage for every month after.

Lists of the above rates to be kept constantly in view at the weigh-house, under penalty of 40*s.* for every day's neglect.

IV. And be it further enacted by the authority aforeſaid, That each and every wharfinger or wharfingers in the ſaid towns of Kingſton and Morant-Bay ſhall be, and he and they is and are hereby, obliged, within three months after the paſſing of this act, to affix, and conſtantly keep up in view, in ſome public place under cover from the weather, at or near the weigh-houſe, or place of weighing goods, on his or their wharf or wharves, an exact liſt of the rates of wharfage and ſtoreage, as appointed by this act, properly digeſted in an alphabetical manner, under the penalty of forty ſhillings for each and every day's neglect and delay in affixing and keeping up the ſame.

Penalty of 100*l.* on extortion.

V. And be it further enacted by the authority aforeſaid, That if any wharfinger or wharfingers, or any perſon or perſons acting for or under him or them, ſhall preſume to aſk, demand, and receive, or take, any greater or larger prices or rates than thoſe herein before mentioned, for ſhipping, receiving, ſtoreing, ſkidding, weighing, gauging, and properly ſecuring, the goods, wares, and merchandiſes, delivered at his or their wharf or wharves [*he or they*] ſhall, for every ſuch offence, forfeit the ſum of one hundred pounds.

Recovery of penalties;

VI. And be it further enacted by the authority aforeſaid, That the ſeveral penalties and forfeitures in this act mentioned ſhall, if not exceeding ten pounds, be recovered, in a ſummary manner, before any one of his majeſty's juſtices of the peace in the pariſh or precinct where the offence ſhall be committed; which ſaid juſtice is hereby empowered, authorized, and required, to commit ſuch offender or offenders to gaol, there to remain, without bail or mainpriſe, until he or they ſhall have paid the ſame: And all penalties and forfeitures, exceeding ten pounds, ſhall be recovered, in the ſupreme court of judicature or in the court of aſſize for the county of Surrey, by action of debt, bill, plaint, or information, wherein no eſſoin, protection, or wager of law, ſhall be allowed, or *non vult ulterius proſequi* entered; any thing therein contained to the contrary in anywiſe notwithſtanding.

which are to go to the informer.

VII. And be it further enacted by the authority aforeſaid, That all penalties and forfeitures in this act mentioned ſhall be to the informer, or him, her, or them, who ſhall ſue for the ſame.

CAP.

CAP. III.

An act for repealing part of an act entitled, "An act to oblige the justices and vestrymen of several parishes in this island to build, repair, and keep in repair, barracks, magazines, and arsenals, in their respective parishes;" and also to repeal part of one other act, entitled, "An act to explain and amend an act entitled, 'An act to oblige the justices and vestrymen of several parishes in this island to build, repair, and keep in repair, barracks, magazines, and arsenals, in their respective parishes;" and to put the barracks and fort at Lucea, in the parish of Hanover, upon the public establishment of this island.

[23d December, 1786.]

WHEREAS, by an act entitled, *An act to oblige the justices and vestrymen of several parishes in this island to build, repair, and keep in repair, barracks, magazines, and arsenals, in their respective parishes*, also, by an act entitled, *An act to explain and amend an act entitled, "An act to oblige the justices and vestrymen of several parishes in this island to build, repair, and keep in repair, barracks, magazines, and arsenals, in their respective parishes,"* it is, amongst other things, enacted, That the justices and vestry, or two justices and six vestrymen in vestry assembled, or the major part of them, of the several parishes herein after mentioned, be, and they are hereby, obliged, and required, within three months after the passing of this act, to begin to build good and sufficient barracks, and to complete the same within twelve months, for the reception of one company of regular troops, which his majesty has been or may be graciously pleased to send over to this island for the protection thereof, at such places as shall be herein appointed, and to repair and put in good order such barracks as are herein after mentioned; that is to say, The justices and vestry, or two justices and six vestrymen of the parish and town of Kingston, in vestry assembled, or the major part of them, in some part of the said town as to them shall seem convenient; of the parish of St. John, at or near a place called Point-Hill, in said parish of St. John; of the parish of Clarendon, at or near the church in Clarendon Mountains; of the parish of Westmorland, at such place in the leeward part of the said parish as to them shall seem convenient, and also to repair and put in good order the barracks at Savanna-la-Mar; of the parish of Hanover, at a place called Lucea; of the parish of St. James, at such places as to them shall seem convenient, and to keep in repair the barrack already built at Montego-Bay; of the parish

1 Geo. III. cap. 19.

1 Geo. III. cap. 29.

Recital of *clause* 1,

of St. Ann, at ſuch place as to them ſhall ſeem convenient; of the pariſh of St. George, at a place called Gibraltar-Point, in the ſaid pariſh; of the pariſh of St. Andrew, at ſuch place as to them ſhall ſeem convenient: And whereas it is further enacted by the authority aforeſaid, That the ſeveral and reſpective juſtices and veſtry, or two juſtices and ſix veſtrymen in veſtry aſſembled, or the major part of them, in all and every the pariſhes of this iſland where new barracks are directed to be built, or where old barracks are directed to be repaired, or in the pariſh of St. Mary, where a barrack already built is directed to be paid for by virtue of this act, be, and they are hereby, obliged and required, as ſoon as the ſeveral and reſpective barracks are built, or the ſeveral and reſpective old barracks are repaired, to erect and build, at each of ſaid barracks, a proper magazine for keeping and preſerving a reaſonable quantity of gunpowder, and alſo an arſenal for the keeping a reaſonable number of arms; and, from time to time, and at all times hereafter, to repair and mend, ſuſtain and maintain, all ſuch barrack or barracks, magazines, and arſenals, ſo to be erected, built, or repaired, as aforeſaid: And whereas the above-mentioned clauſes of the ſaid acts have, ſo far as they are binding and compulſory upon the aforeſaid recited pariſhes, become burthenſome to the inhabitants of the ſaid reſpective pariſhes: For remedy whereof, We, your majeſty's dutiful and loyal ſubjects, the aſſembly of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted and ordained by the lieutenant-governor, council, and aſſembly, of the ſaid iſland, and it is hereby enacted and ordained by the authority of the ſame, That each and every the clauſe and clauſes of the ſaid acts herein before recited be, and the ſame are hereby, annulled and repealed, ſo far as they are binding and compulſory on the ſaid reſpective pariſhes as aforeſaid recited.

and of *clause 4, of the former act.*

Compulsory parts of above clauses repealed.

II. And whereas, for the better ſecurity of the inhabitants of this iſland, it is thought neceſſary to have a head-poſt in and for the county of Cornwall: And whereas the fort, fortifications, and barracks, at Lucea, in the pariſh of Hanover, are in good condition, and well adapted for the purpoſe aforeſaid: And whereas, in order thereto, it will be neceſſary to put the ſaid fort, fortifications, and barracks, upon the public eſtabliſhment, and to authorize and appoint commiſſioners to inſpect the ſame, and to order the repairing and making ſuch additions and alterations as ſhall from time to time be thought neceſſary: Be it further enacted and ordained by the authority aforeſaid, That the preſent commiſſioners of forts, fortifications, and public buildings, and the commiſſioners of forts, fortifications, and public buildings for the time being, be, and they are hereby appointed, commiſſioners; and they, or any ſeven of them, one of the council and three of the aſſembly being always part of that number, are hereby authorized and empowered, jointly with his honour the lieutenant-governor, or the governor or commander in chief for the time being, to order the repairing and making ſuch additions to the ſaid fort, fortifications, and barracks at Lucea, in the pariſh

Commissioners of forts appointed commissioners for repairing and enlarging fort, &c. at Lucea,

pariſh of Hanover aforeſaid, as ſhall from time to time be thought neceſſary; and they are hereby alſo authorized and empowered to make contracts with workmen, or others, for materials, workmanſhip, and labour, and to hire ſlaves for the repairing, carrying on, and finiſhing, the ſame, not exceeding the ſum of two thouſand pounds.

and enabled to make contracts to the amount of 2000*l.*

III. And be it enacted by the authority aforeſaid, That, no money ſhall be iſſued or paid for the above purpoſe out of the funds already granted, or hereafter to be granted, for the uſe of forts, fortifications, barracks, and public buildings, in this iſland, and commonly called the fortification-fund, but by order under the hand of his honour the lieutenant-governor, or the governor and commander in chief for the time being, and the ſaid commiſſioners, or any ſeven of them, one of the council and three of the aſſembly being always part of that number.

No money to be iſſued out of the fortification-fund, but by order of the commander in chief, and a *quorum* of the commiſſioners.

IV. And be it enacted by the authority aforeſaid, That the ſaid commiſſioners, or any ſeven of them, one of the council and three of the aſſembly being always part of that number, ſhall have full power and authority, jointly with his honour the lieutenant-governor, or the governor and commander in chief for the time being, to order the digging up, and carrying away ſand and earth, and collecting, blowing up, or carrying away, ſtones, for the uſe of the ſaid fort, fortification, and barracks, out of the lands of any perſon whatſoever, making the proprietors a reaſonable compenſation for the ſame, as alſo for any damage or injury that may ariſe to ſuch proprietor or proprietors, by reaſon or means of the digging up of ſand or earth, or collecting or blowing up ſtones, or carrying away ſuch materials for the purpoſes aforeſaid.

Commiſſioners authorized to order a ſupply of materials from any perſon's land, making compenſation and paying for damages.

CAP. IV.

An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes.—[23d December, 1786.] EXPIRED.

CAP.

CAP. V.

An act to vest certain lands and tenements, situate, lying, and being, in the town and parish of Kingston, in the justices and vestrymen of the said parish, and the justices and vestrymen of the said parish for the time being, [for the use of the poor of the said parish; and to enable the justices and vestrymen of the said parish, for the time being,] *to maintain or defend any suit or suits at law or in equity for recovery of the same, or any part thereof, and to make leases of the said lands and tenements, or any part thereof, for the use of the poor of the said parish.*

[23d December, 1786.]

Preamble.

WHEREAS Joſhua Bradſhaw, formerly of the town of Kingſton, in this iſland, deceaſed, being ſeiſed and poſſeſſed of certain lots of land, with buildings thereon, ſituate, lying, and being, in the town of Kingſton aforeſaid, did, in and by his laſt will and teſtament, bearing date the twenty-fourth day of November, which was in the year of our Lord one thouſand ſeven hundred and twenty-ſeven, after bequeathing ſeveral legacies, direct, that the reſt of his houſes in Kingſton, with the rents that ſhall become due, ſhould go to the maintenance of the poor houſekeepers of Kingſton for ever, at the diſpoſal and direction of his executors, namely, Chriſtopher Chandler and James Younge; as in and by the ſaid laſt will and teſtament, duly proved and on record in the ſecretary's office of this iſland, may more fully appear; which houſes, that is to ſay, the reſt of his the ſaid Joſhua Bradſhaw's houſes in Kignſton, or the land on which the ſaid houſes were, are or is ſituate in the fourth lot ſouth from White-ſtreet, butting and bounding eaſt on Orange-ſtreet; north and eaſt on tenements poſſeſſed by Mrs. Margaret Sneadaker, and alſo north on Mrs. Balfour; weſt on Luke-lane; partly ſouth on Harry Lumſden, eſquire; eaſt and north on tenements poſſeſſed by Meſſrs. Farmer and Moore: And whereas, the ſaid executors are [*being*] ſince dead, and their heirs unknown in this iſland, the veſtry of the ſaid pariſh of Kingſton are put to great difficulties in letting the ſaid land and tenements, for the purpoſes in the ſaid will mentioned, and it will tend greatly to the benefit and advantage of the poor of the ſaid pariſh if the ſaid land and tenements were veſted in the juſtices and veſtry of the ſaid pariſh of Kingſton, in truſt for the purpoſes aforeſaid: And whereas Peter Davis, formerly of the town of Kingſton, in this iſland, deceaſed, did, in and by his laſt will and teſtament, bearing date the ninth day of June, which was in the year of our Lord one thouſand ſeven hundred and two, give, deviſe, and bequeath, unto his beloved wife, Judith Davis, all his eſtate, real and perſonal, during her natural life, and, at her deceaſe,

deceaſe, to the poor of the pariſh of Kingſton, to be diſtributed among them by the churchwardens of the ſaid pariſh; as in and by the ſaid laſt will and teſtament, duly proved and of record in the ſecretary's office of this iſland, may more fully appear; of which ſaid eſtate there remains a lot of land, with buildings thereon, in the ſaid town of Kingſton, that is to ſay, the ſecond lot ſouth from Barry-ſtreet, butting and bounding weſt on Church-ſtreet; north on land and buildings late the property of Mrs. Pinnock; eaſt on Mark-lane; and ſouth on Robert Brown: And whereas the ſaid Judith Davis is ſince dead, and the veſtry and churchwardens of the ſaid pariſh of Kingſton are put to great difficulties in letting the ſaid lot of land, and tenements thereon, in the moſt advantageous manner to the uſe of the poor, and it would tend greatly to the benefit and advantage of the poor of the ſaid pariſh if the ſaid lot of land, with buildings thereon, were veſted in the juſtices and veſtry of the ſaid pariſh of Kingſton, in truſt for the uſe of the poor of the ſaid pariſh: And whereas, by an act of the governor, council, and aſſembly, paſſed the twenty-firſt day of December, one thouſand ſeven hundred and ſeventy-ſix, the magiſtrates and veſtrymen of the ſaid pariſh were empowered to purchaſe a proper and convenient court-houſe, for tranſacting their parochial buſineſs, and, from time to time, to keep the ſame in repair, or to make ſuch alterations therein, or additions thereto, as they ſhould find neceſſary, and to raiſe ſuch ſums of money as ſhould be requiſite for the purpoſes aforeſaid: And whereas, by virtue of the ſaid in part recited act, the magiſtrates and veſtrymen of the ſaid pariſh purchaſed land and buildings for the purpoſe aforeſaid, butting and bounding weſt on Duke-ſtreet; north on Water-lane; [*eaſt on lands and tenements belonging to and in the poſſeſſion of doctor Flanagan*;] and ſouth on Harbour-ſtreet; ſome of which buildings, namely, out-houſes, cellars, and apartments on the ground-floor, the magiſtrates and veſtry of the ſaid pariſh can diſpenſe with in tranſacting their parochial buſineſs, and it would tend greatly to the benefit and advantage of the ſaid pariſh if the ſaid land and buildings were veſted in the magiſtrates and veſtrymen of the ſaid pariſh, in truſt for the uſe of the poor of the ſaid pariſh: And whereas there are ſeveral ſums of money due, by ſundry perſons, for the rents agreed on to be paid by them, or ſums of money ſtipulated to be paid periodically, for the uſe and occupancy of the ſaid lands and tenements, which ſums the veſtry of the ſaid pariſh are put to great difficulties in recovering, and the ſums ſo due would be a great relief to the poor of the ſaid pariſh: May it therefore pleaſe your moſt excellent majeſty, at the humble ſuit of the juſtices and veſtry of the ſaid pariſh of Kingſton, that it may be enacted, and be it enacted by the lieutenant-governor, council, and aſſembly, of the ſaid iſland, and it is hereby enacted and ordained by the authority of the ſame, That the ſaid lands and tenements as have herein been deſcribed be, and the ſame are hereby, veſted in the preſent juſtices and veſtrymen of the ſaid pariſh of Kingſton, or the juſtices and veſtrymen of the ſaid pariſh for the time being, to and for the uſe of the poor inhabitants of the ſaid pariſh.

The aforesaid properties veſted in juſtices and veſtry, for the uſe of the poor.

II. And

Justices, &c. empowered to levy a tax on the inhabitants, for repairs of said tenements.

II. And be it enacted by the authority aforeſaid, That the ſaid juſtices and veſtrymen, and the juſtices and veſtrymen for the time being, of the ſaid pariſh of Kingſton, and their ſucceſſors, ſhall have full power to alter and repair, amend and enlarge, the ſaid tenements; and, for that purpoſe, it ſhall and may be lawful for the ſaid juſtices and veſtry, or the juſtices and veſtrymen of the ſaid pariſh for the time being, to raiſe and levy a tax on the inhabitants of the ſaid town of Kingſton, in the ſame manner as other the parochial taxes are raiſed.

Juſtices and veſtry made a body corporate, for the purposes of this act, but no further.

They may let the properties, for not more than fourteen years.

III. And be it further enacted by the authority aforeſaid, That the ſaid juſtices and veſtrymen, and the juſtices and veſtrymen of the ſaid pariſh of Kingſton for the time being, and their ſucceſſors, ſhall be, and they are hereby declared, a body corporate, for the purpoſes herein mentioned, and no further: And they and their ſucceſſors, juſtices and veſtrymen of the ſaid pariſh, or the majority of them preſent, ſhall, from and after the paſſing of this act, when duly ſummoned and met in veſtry, and not otherwiſe, have full power and lawful authority from time to time to rent, demiſe, leaſe, and to farm let, the ſaid lands and tenements, or any part thereof, at will, from year to year, or for any term not exceeding fourteen years, for the higheſt rent that can be obtained.

Corporate powers of juſtices and veſtry, and name.

IV. And be it further enacted by the authority aforeſaid, That the juſtices and veſtrymen of the ſaid pariſh for the time being, and their ſucceſſors, or the majority of them, ſhall have full power and authority, by the name of THE JUSTICES AND VESTRY OF THE PARISH OF KINGSTON, to ſue and be ſued, implead and be impleaded, to anſwer and be anſwered unto, in all manner of courts that now are or ſhall hereafter be in this iſland, in all manner of ſuits whatſoever, or of what nature or kind ſoever ſuch ſuits or actions be or ſhall be, relating to the ſaid lands and tenements, as well for recovery of any debts that are now due for rents of the ſaid lands and tenements, as for recovery of any debt, dues, legacies, or bequeſts, which are or ſhall be due, or left and bequeathed, to and for the benefit of the ſaid pariſh, in as ample a manner and form, and to all intents, conſtructions, and purpoſes, as any perſon or perſons, bodies corporate and politic, in the realm of England, being able perſons in the law, may do; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Proceeds to be applied to the uſe of the poor; ſurpluſage, if any, to contingencies of the pariſh.

V. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for the juſtices and veſtry of the ſaid pariſh of Kingſton, from time to time, to apply all the rents, iſſues, and profits, of the ſaid lands and tenements, towards ſupporting the poor of the ſaid pariſh; and in caſe there ſhould be any ſurpluſage remaining of the ſaid annual rents, then the ſame ſhall be applied towards diſcharging the contingent charges of the pariſh of Kingſton aforeſaid.

CAP.

CAP. VI.

An act for raising a tax by the poll, and on trades, supercargoes, and masters of vessels in the out-ports; and on offices and houses; and for laying a tax on certain wheel-carriages; and applying the same to several uses.—[23d December, 1786.] EXPIRED.

CAP. VII.

An act for laying a duty on all wines, arrack, brandy, and gin, retailed within this island; and for laying a further tax on licenses to be granted for the retailing of wines, arrack, brandy, and gin, and on the public offices, and on rum sold for consumption in this island; and applying the same to several uses.—[23d December, 1786.] EXPIRED.

CAP. VIII.

An act to oblige the several inhabitants of this island, to provide themselves with a sufficient number of white men, white women, or white children, or pay certain sums of money in case they shall be deficient, and applying the same to several uses; to protect freeholders on the days of choosing churchwardens and vestrymen; and to ascertain who shall be deemed duly qualified to vote at such elections.—[23d December, 1786.] EXPIRED.

CAP. IX.

An act for establishing, disciplining, and regulating, the militia; for ascertaining who shall compose future councils of war; and for other purposes respecting the said militia.—[23d December, 1786.] EXPIRED.

CAP. X.

An act for repealing so much of an act of this island, passed in the year of our Lord one thousand seven hundred and eleven, entitled, "An act for regulating fees," as establishes the fees of the collector, naval officer, secretary, and receiver-general, for entering and clearing all vessels trading to and from this island; and for regulating the fees of the several officers concerned in entering and clearing all such vessels; and for making certain provisions for the better management of the offices therein mentioned.—[23d December, 1786.] EXPIRED.

CAP. XI.

An act for laying a duty on tonnage, and applying the same to the use of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of "An act for granting a revenue to his majesty, his heirs and successors, for the support of the government of this island; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchase gunpowder, under certain regulations.—[23d December, 1786.] EXPIRED.

CAP. XII.

An act for establishing and declaring rules and articles of war.—[23d December, 1786.] EXPIRED.

CAP. XIII.

EXPIRED. *An act to enable his honour Alured Clarke, esquire, lieutenant-governor and commander in chief of this island, or the governor or commander in chief for the time being, to issue his majesty's royal proclamation, during the recess of the present assembly, prohibiting the exportation of flour and other provisions from this island, for a limited time.*—[23d December, 1786.]

CAP. XIV.

EXPIRED. *An act for giving an additional allowance for the support of negroes confined in gaol, for a certain time.*—[23d December, 1786.]

Anno regni Georgii tertii vicesimo octavo.

CAP. I.

An act to make the service on special juries more equal and easy.—[22d December, 1787.]

Preamble. WHEREAS the frequent attendance on special juries, agreeably to the law now in force, has, by experience, been found a burthensome and unequal service: For remedy whereof, May it please your most excellent majesty that it may be enacted, and be it enacted by the lieutenant-governor, council, and assembly, of this island, and, by the authority of the same, it is hereby enacted, That, in future, all special juries shall be taken from the general panel, or list of grand and petty jurors warned to serve at the supreme court and courts of assize respectively, and shall be struck from the said several panel, or list, in the same manner as has hitherto been used from the body at large of the jurors for each county respectively: Provided, That if the trial of the issue for which such special jury shall be so struck does not come on at the term for which they are warned, a new special jury, if required, shall, in like manner, be struck from the general panel, or list of jurors, for the next supreme court or court of assize respectively; and so *toties quoties* until the issue be tried.

Special juries to be taken from the general panel, and struck off as has been usual from the body at large of the jurors.

New special jury to be struck at subsequent courts, if cause adjourned.

II. And be it further enacted by the authority aforesaid, That the supreme court shall not henceforward grant special juries, unless sufficient cause be shewn, by affidavit or otherwise, that a special jury is necessary or proper for the trial of the cause.

Special juries not to be granted, unless sufficient cause shewn.

CAP.

CAP. II.

An act to appoint commissioners to inspect the books of the receiver-general, and to settle and adjust the public accounts.—[22d December, 1787.] EXPIRED.

CAP. III.

An act for raising several sums of money, and applying the same to several uses.—[22d December, 1787.] EXPIRED.

CAP. IV.

An act for amending and keeping in repair the road leading from Joseph Price's Gate, in the parish of St. Ann, over Mount-Diablo, to Rio-Magno-Gully, in the parish of St. Thomas in the Vale; and for vesting in trustees the toll to be raised by a turnpike on the said road, for the purposes aforesaid.—[22d December, 1787.] EXPIRED.

CAP. V.

An act for the better regulating the police within the town of St. Jago de la Vega; for the better security of the public records, in case of fire in the said town; and for other purposes.—[22d December, 1787.]

WHEREAS it will greatly tend to the security of the public records of this island, which are kept in the buildings commonly called the public buildings, situated in the town of St. Jago de la Vega, and also of the king's house, and the property of the inhabitants of the said town in general, from accidents and dangers of fire, if the number of tippling and punch-shops, and the retailers of rum and other spirituous liquors, should be limited; also, if such tippling-houses, and all hucksters shops, half-and-half shops, baking-houses, and blacksmiths shops, should be prevented, and prohibited from being kept within a certain distance of the said public buildings, and also if a proper time of the day was limited for the vending of spirituous and other liquors within the said town: We, therefore, your majesty's dutiful and loyal subjects, the assembly of this your majesty's island of Jamaica, most humbly beseech your majesty that it may be enacted, and be it enacted by the lieutenant-governor, council, and assembly, of the said island, and it is hereby enacted and ordained by the authority of the same, That, from and after the first day of January, which will be in the year of our Lord one thousand seven hun- Preamble.

No person to retail liquors.

in St. Jago de la Vega without having a license;

dred and eighty-eight, no perſon whatſoever, in the ſaid town of St. Jago de la Vega, ſhall preſume by him, her, or themſelves, or by any perſon or perſons whatſoever to be employed by him, her, or them, or for his, her, or their benefit, to retail any rum, rum-punch, or any other mixture of rum, or any other diſtilled ſpirituous liquor, or other liquor, without firſt taking out a licenſe for that purpoſe, in ſuch manner as licenſes have been heretofore taken out; which licenſe ſhall not be granted, but upon certificate from under the hands of the churchwardens, and a majority of the veſtry of the ſaid pariſh for the time being, and alſo of ſix other of the inhabitants of the ſaid town, being freeholders of the pariſh of St. Catherine, capable as [*of*] ſitting as veſtrymen, and voting for members to ſit in the aſſembly, that he, ſhe, or they, is or are ſober and diſcreet, and duly qualified and fit to be truſted to ſell and diſpoſe of ſuch rum, rum-punch, or other mixture of rum, or other diſtilled ſpirituous liquors or other liquor; which certificate ſhall be recorded in the office of the clerk of the peace of the ſaid pariſh of St. Catherine, before ſuch licenſe ſhall be granted.

to obtain which, a certificate must be obtained,

and recorded.

Retailers of liquors must enter into bond, to keep good order and rule in their shops.

II. And be it further enacted by the authority aforeſaid, That no perſon or perſons whomſoever ſhall have a licenſe granted unto him, her, or them, for the ſale of rum, rum-punch, or any other mixture of rum, or any other diſtilled ſpirituous liquor, or other liquor, without firſt becoming bound to the churchwarden or churchwardens of the ſaid pariſh of St. Catherine for the time being, and to their ſucceſſor or ſucceſſors, in a bond, with two ſufficient ſecurities (ſuch ſecurities to be freeholders of the ſaid pariſh), in the ſum of one hundred pounds, for maintenance of good order and rule in the houſe or ſhop where he, ſhe, or they, ſhall ſo ſell or diſpoſe of the ſaid rum, rum-punch, or other diſtilled ſpirituous liquor, or other liquor, and that he [*ſhe,*] or they, will not retail, vend, or diſpoſe thereof, or keep his, her, or their ſhop open, before the hour of ſix in the morning, or after the hour of ſix of the clock in the evening.

Spirituous liquors not to be sold before six in the morning, nor after six in the evening.

III. And be it further enacted by the authority aforeſaid, That no perſon or perſons, to whom ſuch licenſe or licenſes as aforeſaid ſhall be granted, ſhall ſell by retail any rum, rum-punch, or other mixture of rum, or other diſtilled ſpirituous liquor, or ſhall keep his, her, or their ſhop open before the ſaid hour of ſix in the morning, or after the ſaid hour of ſix of the clock in the evening, under the penalty of forfeiting the ſum of ten pounds for every ſuch offence.

Licenses not to be granted for more than one year, and only to persons justices approve of.

IV. And be it further enacted by the authority aforeſaid, That no licenſes, for the purpoſes aforeſaid, ſhall be granted for more than one year, to commence on the twentieth day of January, one thouſand ſeven hundred and eighty-eight; and that there ſhall be no licenſes granted to any, but ſuch perſons in the ſaid town as the juſtices in ſeſſion ſhall approve of; and that, for every ſuch licenſe, the perſon receiving the ſame ſhall pay the ſum

of

of two pounds ten ſhillings to the clerk of the peace of the ſaid pariſh of St. Catherine, as and for his trouble in taking the ſaid bond, recording the certificate, and paſſing the licenſe; and the further ſum of ten pounds to the churchwardens of the ſaid pariſh for the time being, for the uſe of the poor of the ſaid pariſh. Fees for licenses.

V. And be it further enacted by the authority aforeſaid, That no perſon or perſons whomſoever, not having a licenſe, granted in the manner as herein before directed, and in force, ſhall vend, ſell, diſpoſe [*of*], or deliver, any rum, rum-punch, or other mixture of rum, or any other diſtilled ſpirituous liquor, or other liquor, by retail, under the penalty of twenty pounds, and one month's impriſonment; which forfeiture and penalty ſhall be heard, adjudged, recovered, and determined, by two of his majeſty's juſtices of the peace for the precinct of St. Catherine: And that the evidence of any one white perſon ſhall be ſufficient to convict ſuch offender or offenders, if againſt a white perſon; and if againſt a mulatto, Indian, or negro, the evidence of any one white perſon, mulatto, Indian, or negro, ſhall be ſufficient to convict him, her, or them; any law, cuſtom, or uſage, to the contrary notwithſtanding: And that every perſon to whom ſuch licenſe ſhall be granted ſhall put his name, in a conſpicuous place, over the door of his ſhop or houſe, with the words, "rum ſold by licenſe," under the penalty of being deemed an unlicenſed perſon under this act, and puniſhed accordingly. Penalty of 20*l.* on persons selling liquors without a license in force. Evidence necessary for conviction. Licensed retailers must exhibit their names and business,

VI. And, for the better preventing diſorders in the houſes or ſhops where ſuch rum, rum-punch, or other ſpirituous liquor, or other liquor, ſhall be ſold, be it further enacted, That no licenſe ſhall be granted to any perſon who has not been reſident in the ſaid pariſh, and paid taxes therein, for one year next before the granting of ſuch licenſe. and have been resident twelve months.

VII. And be it further enacted by the authority aforeſaid, That no perſon or perſons whomſoever ſhall keep any of the aforeſaid ſhops or houſes, or ſell gunpowder, within the ſpace of one hundred yards clear of the king's houſe, and of the ſaid public offices, under the penalty of twenty pounds for every ſuch offence, and being for ever thereafter rendered incapable of having ſuch licenſe as aforeſaid granted to him, her, or them; ſuch penalty or fine to be recovered, heard, and determined, by any two or more of his majeſty's juſtices of the peace for the ſaid pariſh [*precinct*] of St. Catherine; and that the evidence of any perſon, being a competent witneſs, ſhall be ſufficient to convict ſuch offender or offenders. No such shops to be kept, or gunpowder sold, within one hundred yards of the public buildings.

VIII. And be it further enacted by the authority aforeſaid, That any perſon within the ſaid town who ſhall ſell or diſpoſe of, to any one perſon at one time, leſs than twenty gallons of rum, ſhall be deemed and conſidered a retailer, within the intent and meaning of this act; and that no perſon or perſons whomſoever ſhall be allowed to keep more than one ſhop for the Persons selling less than twenty gallons of rum to be deemed retailers.

Only one shop to be kept for each license.

the retailing of rum, or rum-punch, or other liquor, by virtue of any ſuch licenſe as aforeſaid, under the like penalty as is herein before given for perſons ſelling rum, or rum-punch, or any other mixture of rum, or other diſtilled ſpirituous liquor, or other liquor, without a licenſe firſt had and obtained as aforeſaid: Provided always, That nothing herein before contained ſhall affect any tavern-keeper or tavern-keepers who hath or have, or ſhall hereafter have, grand licenſes to ſell wine, rum, brandy, arrack, gin, and other liquors: And provided alſo, That nothing herein contained ſhall extend to perſons ſelling wines, arrack, brandy, gin, cyder, perry, or malt liquor, in bottles, by the dozen or any greater quantity.

This act not to affect grand licenses,

nor the sale of liquors by dozen.

IX. And whereas, in caſe of fire in the ſaid town of St. Jago de la Vega, many houſes would be burnt and conſumed before ſuch fires could be extinguiſhed, to the impoveriſhment and other [*utter*] ruin of many of the inhabitants of the ſaid town; the rage and violence whereof might in a great meaſure be prevented, if a ſufficient number of engines and buckets, with proper perſons to work the ſaid engines, were provided: For the providing whereof, Be it further enacted by the authority aforeſaid, That, from and after the firſt day of May next, every houſekeeper in the ſaid town of St. Jago de la Vega, who ſhall be aſſeſſed in the pariſh-books of the ſaid town at the ſum of twenty pounds and upwards, ſhall, from time to time, and at all times, be provided with, and keep in good order and repair, two leather buckets, each of which to contain two gallons and one half of a gallon at the leaſt, and on which ſhall be painted the name of ſuch houſekeeper at full length; and that every houſekeeper ſhall, on every emergency or alarm of fire, provide one able negro to carry the ſaid buckets to ſuch fire, and to aſſiſt in the extinguiſhment thereof: And that every houſekeeper in the ſaid town of St. Jago de la Vega, who ſhall be aſſeſſed in the ſaid pariſh-books at the ſum of ſixty pounds and upwards, ſhall in like manner be provided with, and keep in good order and repair, four leather buckets, each of which to contain the like quantity as above-mentioned, and on which ſhall alſo be painted the name of ſuch houſekeeper at full length; and that every ſuch houſekeeper who ſhall be ſo aſſeſſed in the ſaid pariſh-books as laſt aforeſaid ſhall, on every emergency or alarm of fire, provide two able negroes to carry the ſaid buckets to ſuch fire, and to aſſiſt in the extinguiſhment thereof: And that every houſekeeper in the ſaid town of St. Jago de la Vega, who ſhall be aſſeſſed in the ſaid pariſh-books at the ſum of one hundred pounds and upwards, ſhall in like manner be provided with, and keep in good order and repair, ſix leather buckets, each of which to contain the like quantity as above mentioned, and on which ſhall alſo be painted the name of ſuch houſekeeper at full length; and that every ſuch houſekeeper who ſhall be ſo aſſeſſed as laſt aforeſaid ſhall, on every emergency or alarm of fire, provide three able negroes to carry the ſaid buckets to ſuch fire, and to aſſiſt in the extinguiſhment thereof: And, in default of having and keeping in good repair ſuch leather buckets as aforeſaid,

Housekeepers assessed at between 20*l.* and 60*l.* to send out two buckets (with their names thereon) and one negro;

those between 60*l.* and 100*l.* four buckets and two negroes;

and those at above 100*l.* six buckets and three negroes.

Housekeepers making default, to for-

ſaid, every ſuch houſekeeper, as aforeſaid, ſo making default, and being convicted thereof, before two of his majeſty's juſtices of the peace for the ſaid precinct of St. Catherine, upon the teſtimony or oath of one or more credible witneſs or witneſſes, or on the view of any one or more juſtice or juſtices of the peace for the ſaid precinct of St. Catherine, ſhall forfeit and pay the ſum of two pounds for every bucket that ſhall not be ſo provided and kept in good repair as aforeſaid; one moiety thereof to the informer, in caſe conviction ſhall [*be*] upon information as aforeſaid, and the other moiety thereof to the poor of the ſaid pariſh of St. Catherine; and in caſe ſuch conviction ſhall be upon the view of any juſtice or juſtices of the peace as aforeſaid, then the whole of every ſuch forfeiture ſhall be to the uſe of the poor of the ſaid pariſh of St. Catherine; to be recovered, by warrant from two of his majeſty's juſtices of the peace of the ſaid precinct, by diſtreſs and ſale of the goods of ſuch houſekeeper ſo making default as aforeſaid; the overplus, if any there be, to be returned to the owner thereof.

forfeit 40*s.* for each bucket deficient.

Application and recovery of penalties.

X. And be it further enacted by the authority aforeſaid, That, from and after the ſaid twentieth day of January, one thouſand ſeven hundred and eighty-eight, the churchwardens of the ſaid pariſh of St. Catherine ſhall, from time to time, and at all times, have, and keep in good order and repair, in the ſaid town of St. Jago de la Vega, three engines to throw up water for the extinguiſhing of fires, with proper leather pipes and ſockets, and a ſufficient number of fire-hooks, and other proper implements for the extinguiſhment of fire; and in default thereof, the ſaid churchwardens ſo making default, and being thereof convicted, on information on oath, before two of his majeſty's juſtices of the peace for the precinct of St. Catherine, ſhall forfeit and pay the ſum of ten pounds each; one moiety thereof to the informer, and the other moiety to the poor of the ſaid pariſh of St. Catherine; to be recovered, by warrant from two of his majeſty's juſtices of the peace for the ſaid precinct, by diſtreſs and ſale of the goods of every ſuch churchwarden making ſuch default; and the overplus, if any be, to be returned to the owner thereof.

Churchwardens to provide, and keep in good repair, three fire-engines, or forfeit 10*l.* each for neglect.

XI. And be it further enacted by the authority aforeſaid, That the juſtices and veſtry of the ſaid pariſh of St. Catherine, for the time being, ſhall, and they are hereby empowered, from time to time, and at all times hereafter, to, hire or employ a ſkilful perſon, as a captain or manager of every ſuch engine ſo to be provided as aforeſaid; and to pay every perſon, which ſhall be ſo hired and employed for the purpoſes aforeſaid, ſuch annual or other ſalary as to them ſhall ſeem expedient; and alſo to reward all ſuch perſons, negroes and others, as they ſhall think intitled to be paid for their extraordinary activity and attention exerciſed in the extinguiſhment of any ſuch fire or fires, as to them ſhall ſeem meet.

Juſtices and veſtry to appoint a captain to each engine;

pay him a ſalary;

and give rewards to active perſons.

XII. And

Captain of the first engine which arrives at a fire to be paid 10*l.* and of the second 5*l.*

XII. And be it further enacted by the authority aforeſaid, That, upon every alarm and breaking-out of fire in the ſaid town of St. Jago de la Vega, the captain or manager of the engine which ſhall firſt arrive at the place where any ſuch fire ſhall happen ſhall be paid the ſum of ten pounds, and the captain or manager of the engine which ſhall be the ſecond at the ſaid fire ſhall be paid the ſum of five pounds, by the churchwardens and veſtry of the ſaid town for the time being, as an encouragement for the attention and activity of ſuch captain or manager.

Juſtices and veſtry to aſſeſs the inhabitants, for the above purpoſes, at their diſcretion.

XIII. And be it further enacted by the authority aforeſaid, That the juſtices and veſtry of the ſaid town of St. Jago de la Vega, for the time being, are hereby authorized and empowered, from time to time, to tax and aſſeſs the inhabitants of the ſaid town all ſuch ſum and ſums of money as they ſhall think neceſſary for the purchaſe and keeping in repair ſuch engines, herein before directed to be purchaſed and kept in repair as aforeſaid, and for paying and defraying the ſalaries of ſuch captains or managers of the ſaid engines ſo to be employed as aforeſaid, and for ſatisfying ſuch rewards as are hereby directed to be given to the captains or managers of the ſaid fire-engines ſo as aforeſaid firſt arriving at any place where ſuch fire ſhall happen, or ſuch other perſons particularly active in the extinguiſhment of any ſuch fire as before mentioned, as the ſaid juſtices and veſtry ſhall think proper.

They muſt annually appoint five inhabitants to be firewardens, two of whom to be juſtices of the peace.

XIV. And be it further enacted and ordained by the authority aforeſaid, That, from and after the ſaid twentieth day of January, in the year of our Lord one thouſand ſeven hundred and eighty-eight, the juſtices and veſtry of the ſaid pariſh of St. Catherine ſhall, at the next veſtry to be holden in and for the ſaid pariſh after the ſaid twentieth day of January, one thouſand ſeven hundred and eighty-eight, and the juſtices and veſtry of the ſaid pariſh of St. Catherine ſhall yearly and every year, and they are hereby directed, authorized, and empowered, annually to, elect and chooſe, nominate and appoint, five of the inhabitants of the ſaid town as firewardens, two of whom at leaſt to be juſtices of the peace for the ſaid pariſh; who ſhall thenceforward be denominated firewardens for the current year, and ſhall take and ſubſcribe, before one of his majeſty's juſtices of the peace for the ſaid pariſh, the following oath; which oath all and every of the ſaid juſtices of the peace of the ſaid precinct are hereby authorized and empowered to adminiſter; *viz.*

Oath to be taken by the firewardens.

I, *A. B. do ſwear, that I will, well and faithfully, and to the beſt and utmoſt of my power and ability, execute and diſcharge the office of firewarden for the town of St. Jago de la Vega for the current year, as directed by an act of the lieutenant-governor, council, and aſſembly, of this iſland, in that caſe lately made and provided, entitled, "An act for the better regulating the police within the town of St. Jago de la Vega; for the*

the better ſecurity of the public records, in caſe of fire in the ſaid town; and for other purpoſes." *So help me God.*

XV. And be it further enacted and ordained by the authority aforeſaid, That in caſe any ſuch perſon, ſo appointed to the office of firewarden, ſhall, after ſuch appointment, refuſe to take upon him the ſaid office, and ſhall not, within ten days after notice in writing of ſuch his appointment ſhall be given to him, by or from any one of the ſaid juſtices or veſtry for the time being, take and ſubſcribe the ſaid oath, ſuch perſon, ſo refuſing to take upon him the ſaid office and ſubſcribe the ſaid oath, ſhall forfeit and pay the ſum of twenty pounds, for the uſe of the poor of the ſaid pariſh; to be recovered, by warrant from two of his majeſty's juſtices of the peace of the ſaid pariſh, by diſtreſs and ſale of the goods of ſuch perſon ſo refuſing; the overplus, if any, to be returned to the owner thereof.

Firewardens refuſing to execute the office, or to take the oath within ten days after appointed, to forfeit 20*l.*

XVI. And be it further enacted and ordained by the authority aforeſaid, That the ſaid firewardens ſhall have and be inveſted with, and they are hereby inveſted with, the whole and abſolute direction of the extinguiſhment of ſuch fires which may ſo happen as aforeſaid; and that the officers and ſoldiers of the military, that ſhall be preſent at any ſuch fire, ſhall receive from the ſaid firewardens directions as to their conduct: And that the ſaid firewardens, and each of them, ſhall, at every ſuch fire, have a white ſtaff, to denote his office; and the ſame to be purchaſed at the expence of the pariſh, and delivered over to their ſucceſſors.

Firewardens to have the ſole direction in extinguiſhing of fires. Military to obey them. They are to have white ſtaves.

XVII. And be it further enacted and ordained by the authority aforeſaid, That the ſaid firewardens, during the execution of their duty, and all other perſons whomſoever attending and aſſiſting in the extinguiſhment of ſuch fire which ſhall ſo happen as aforeſaid, and for twenty-four hours afterwards, ſhall be exempted from all judicial proceſs whatſoever.

Perſons aſſiſting to extinguiſh fires exempted from all judicial proceſs.

XVIII. And be it further enacted and ordained by the authority aforeſaid, That, upon the breaking-out of any fire within the ſaid town of St. Jago de la Vega, the ſaid firewardens, and all conſtables and beadles, upon notice thereof, ſhall immediately repair to the place where the ſaid fire ſhall happen, with their ſtaves, and other their badges of authority, and be aiding and aſſiſting, as well in the extinguiſhing the ſaid fire, and cauſing negroes and others to work at the engines, and alſo to prevent goods being ſtolen, and ſhall ſeize and apprehend all ill-diſpoſed perſons that they ſhall find ſtealing and pilfering from the inhabitants; and alſo, that the ſaid firewardens, conſtables, and beadles, ſhall give their utmoſt aſſiſtance to help the inhabitants to remove their ſaid goods.

Firewardens, conſtables, &c. to repair to fires, on notice given, with their ſtaves, &c. to aſſiſt in extinguiſhing them, to prevent pilferage, and help to remove goods.

XIX. And be it further enacted and ordained by the authority aforeſaid, That the ſaid firewardens, or any two or more of them, ſhall, and they

Firewardens to examine

engines every three months, and buckets every six months.

they are hereby directed, required, and empowered, once in every three months, to examine into and ſuperintend the working of the ſaid engines, to the intent that the ſame may be kept in perfect and complete repair; and, once in every ſix months, to examine the buckets through the ſaid town of St. Jago de la Vega, for the like purpoſe; to the end that the ſaid engines and buckets may be conſtantly ready, and fit for immediate uſe, in caſe of any ſudden emergency.

Firewardens empowered to order the pulling down or blowing up of houses;

for which the owner, if the fire is thereby stopped, is to receive satisfaction,

valuation being made by churchwardens, &c.

by a parochial rate;

but not if it is the house where the fire began.

XX. And be it further enacted and ordained by the authority aforeſaid, That, when any fire ſhall happen to break out in the ſaid town of St. Jago de la Vega, the ſaid firewardens, or the major part of them who ſhall be preſent at ſuch fire, ſhall and may, and they are hereby empowered to, give all ſuch directions for the pulling down or blowing up any ſuch houſe or houſes as ſhall be by them thought meet to be pulled down or blown up, for the ſtopping and preventing the further ſpreading of the ſame; and if it ſhall happen that the pulling down or blowing up any ſuch houſe or houſes, by the direction aforeſaid, ſhall be the occaſion of ſtopping the ſaid fire, or the fire ſhall ſtop before it reaches ſuch houſe or houſes ſo pulled down or blown up as aforeſaid, that then, and in either of the ſaid caſes, the proprietor or proprietors of ſuch houſe or houſes, ſo pulled down or blown up as aforeſaid, ſhall receive ſatisfaction, and be paid for the ſame by the reſt of the inhabitants whoſe houſes ſhall not be burnt: And the juſtices, churchwardens, and veſtry, of the ſaid pariſh for the time being, in veſtry aſſembled, are hereby empowered to value and appraiſe the ſaid houſe; and the ſaid juſtices and veſtry are to make ſuch rate or rates, for the raiſing and levying ſuch ſum or ſums of money, as they in their judgment ſhall think neceſſary and expedient for that purpoſe: Provided always, That if the houſe where any fire ſhall firſt begin and break out ſhall be adjudged neceſſary to be pulled down or blown up, to hinder the further ſpreading and increaſe thereof, then the proprietor of the ſaid houſe ſhall receive no manner of ſatisfaction for the ſame; any thing in this act to the contrary notwithſtanding.

Slaves found in the streets between the hours of ten at night and five in the morning to be sent to the workhouse,

XXI. And whereas the ſlaves in and about the ſaid town are ſuffered to go about the ſtreets and lanes of the ſaid town at all hours of the night, to the great annoyance of the inhabitants, and injury to the health of the ſaid ſlaves: For prevention whereof in future, Be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, it ſhall and may be lawful for any magiſtrate or conſtable, or any houſekeeper in the ſaid town of St. Jago de la Vega whoſe houſe-rent is rated in the pariſh-books at forty pounds *per annum*, or upwards, to take up any negro or other ſlave who ſhall be found in any of the ſtreets, lanes, or avenues, of the ſaid town, after the hour of ten at night, or before the hour of five in the morning, without a ticket from the maſter or miſtreſs, or owner, of ſuch ſlave or ſlaves who ſhall not be attending, and have under his or their care, a wain, waggon, coach, or other carriage, and to carry ſuch ſlave or ſlaves to the workhouſe.

workhouſe of the ſaid pariſh; and the overſeer and ſupervifor of ſuch workhouſe are hereby empowered to receive ſuch ſlave or ſlaves therein; and ſuch ſlave or ſlaves, ſo committed to the ſaid workhouſe, ſhall not be releaſed therefrom but by order of one of his majeſty's juſtices of the peace of the ſaid precinct, who upon application made by the maſter or miſtreſs, or owner, of ſuch ſlave, or any perſon on his or their behalf, ſhall ſummon the party who committed ſuch ſlave to appear before him, and, upon hearing the cauſe of ſuch commitment, ſhall either releaſe ſuch ſlave, or continue ſuch commitment for any period not exceeding five days, as he in his diſcretion ſhall think fit.

where they are to be received, and not released till a hearing is had before a magistrate,

XXII. And whereas the ſtreets and lanes of the ſaid town of St. Jago de la Vega, and the paths and avenues leading into and out of the ſame, are greatly encumbered, and in many places almoſt choaked up, by dunghills and other filth; and by the great number of penguin fences, and poponac and other trees and buſhes growing in and about the ſame, which harbour vermin of all kinds; and of perſons drying raw hides within the ſaid town; and ſuch lots of land as are not built on or incloſed, but lie open, are converted into places for receiving the dung and rubbiſh of the town; and many ill-diſpoſed perſons in the ſaid town throw and depoſit broken glaſs and earthen ware in the ſtreets, lanes, and avenues, of the ſaid town; to the great danger and annoyance of the inhabitants: And whereas, if the negroes received into the workhouſe of the ſaid pariſh of St. Catherine were employed in keeping the ſtreets, lanes, and avenues, of the ſaid town clean and open, and in repairing the ſtreets thereof, and alſo in cleaning the ſavanna or race-ground, adjoining to the ſaid town; and ſome proper places were appointed for the laying and depoſiting of ſuch filth, dung, broken glaſs and earthen ware, and rubbiſh, as ſhall be made in the ſaid town; and ſuch penguins, poponac and other trees and buſhes, rooted up; and the ſtreets and lanes, and ſuch parts of the ways and avenues immediately leading into and out of the ſame, and alſo ſuch lots of land as are not built upon and incloſed, kept clean and open; it would greatly contribute to the healthineſs and convenience of the inhabitants: Be it therefore enacted by the authority aforeſaid, That, from and after the firſt day of January aforeſaid, the corporation of the ſaid workhouſe do employ, or cauſe to be be employed, the ſaid negroes received into the aforeſaid workhouſe, to cleanſe the ſtreets and lanes, and ſuch parts of the ways, paths, roads, and avenues, that are immediately joining on and leading into the ſame, and the vacant and unincloſed lots of land in the ſaid town, and to remove and carry away the filth, dunghills, and rubbiſh of all kinds, that are in and among the ſame; and to root up, cut down, and deſtroy, all ſuch penguin fences, poponac and other trees and buſhes, and other impediments, as are in the ſaid ſtreets, lanes, paths, roads, ways, and avenues, in or immediately joining to, and leading into and out of, the ſaid town, or any part of the ſame, or in the vacant and unincloſed lots aforeſaid, and to carry and depoſit the ſame in ſuch place or places as ſhall be leaſt offenſive and prejudicial to the ſaid inhabitants,

Workhouse negroes to cleanse, and keep in repair the streets, &c.

to remove penguins, poponacs, &c. and destroy them;

clean the savanna; cultivate parish-lands for their own use; mend the streets;

cut drains, and keep streets clean;

under penalty of 40s. on the workhouse, corporation for each neglect.

habitants, and there to burn and deſtroy the ſame; and alſo to clean the ſaid ſavanna or race-ground; and alſo to clean and cultivate any pieces or parcels of land belonging to the ſaid pariſh, that the juſtices and veſtry of the ſaid pariſh ſhall from time to time direct to be cultivated, for the uſe of the negroes in the ſaid workhouſe; and alſo to repair and amend the ſtreets and avenues of the ſaid town, and cover the ſame with good marl, gravel, or other laſting and inoffenſive materials; and to cut drains to carry off the water from the ſaid ſtreets and lanes, and from the roads, avenues, and places adjacent to the ſaid town, and ſo to keep the ſame cleanſed, repaired, and amended; on pain of forfeiture of forty ſhillings for every neglect or refuſal; the ſame to be recovered, before any juſtice of the peace for the ſaid pariſh of St. Catherine, on the oath of any one or more credible witneſs or witneſſes; one moiety thereof to the informer, and the other moiety thereof to the ſupport of the ſaid workhouſe; to be recovered by warrant under the hand and ſeal of one of the juſtices of the peace for the ſaid pariſh.

Persons expoſing for ſale, or keeping in their houſes, putrid or rancid proviſions, or other offenſive commodities, to forfeit 20*l.*

XXIII. And whereas the health of the inhabitants of the ſaid town hath been greatly endangered, by means of putrid ſalt-fiſh and other proviſions, rancid butter, oil, or other offenſive commodities, having been from time to time expoſed in, or at the doors of, ſhops or houſes in the ſaid town, or kept therein: To remedy which inconvenience for the future, Be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, no perſon or perſons whomſoever ſhall expoſe to ſale, in or at the doors or piazzas of any ſhop or houſe in any of the ſtreets or lanes of the ſaid town, or in places adjacent thereto, any putrid ſalt-fiſh or other proviſions, rancid butter, oil, or other offenſive commodity whatſoever, or keep the ſame in any dwelling-houſe or out-office, to the annoyance of any of the inhabitants of the ſaid town, under the penalty of twenty pounds for every ſuch offence; one moiety whereof ſhall be for the ſupport of the poor of the ſaid pariſh, and the other moiety to the informer; to be recovered, in a ſummary manner, before two or more juſtices of the peace for the precinct of St. Catherine, upon the oath of one or more credible witneſs or witneſſes; any thing in this or any other act to the contrary in anywiſe notwithſtanding.

Juſtices to order ſuch articles to be deſtroyed, if expoſed to ſale.

XXIV. And be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, it ſhall and may be lawful to and for any one or more juſtice or juſtices of the peace of the ſaid precinct of St. Catherine, on view of ſelling, or publicly expoſing to ſale, of any putrid proviſions, rancid butter, oil, or any other offenſive commodity whatſoever, in any of the ſtreets or lanes of the ſaid town of St. Jago de la Vega, forthwith to cauſe the ſame to be ſeized, and immediately deſtroyed or burnt; any thing in this or any former act to the contrary thereof in anywiſe notwithſtanding.

XXV. And whereas the galloping of horſes, or riding or driving them furiouſly, or driving waggons, wains, or carts, furiouſly through the ſtreets and

and lanes of the ſaid town, is attended with great danger to the ſeveral perſons paſſing along the ſaid ſtreets and lanes: Be it therefore enacted by the authority aforeſaid, That if any negro, mulatto, or Indian, or any perſon of colour, being a ſlave, ſhall, after the ſaid twentieth day of January, one thouſand ſeven hundred and eighty-eight, be found galloping, or riding or driving furiouſly, any horſe, mare, or gelding, or any mule or aſs, or any waggon, wain, cart, or other wheel-carriage, drawn by ſteers, oxen, or horſes, through the ſtreets or lanes of the ſaid town, or who ſhall wilfully or careleſsly turn any horſe, mare, gelding, mule, or aſs, looſe in the ſtreets or lanes of the ſaid town, to the danger of the inhabitants, the maſter or miſtreſs ſhall forfeit the ſum of forty ſhillings for every ſuch offence; to be recovered by warrant under the hand and ſeal of any of the juſtices of the peace of the ſaid precinct of St. Catherine; who is hereby empowered and required, on the oath of one or more credible witneſs or witneſſes, to ſummon the maſter or miſtreſs of ſuch ſervant or ſlave who ſhall offend in the premiſes, to ſhew cauſe (on a day to be appointed in ſuch ſummons, not exceeding three days from the time of the complaint made) why he or they ſhould not pay the ſaid forty ſhillings; which ſummons ſhall be ſerved one day before the day therein mentioned for ſhewing cauſe, by leaving a copy thereof with the ſaid maſter or miſtreſs, or at their dwelling-houſe, ſuch party ſo ſummoned then being in the ſaid town; and in caſe the party ſummoned does not appear at the day, or if he does appear, and it ſhall be proved before ſuch juſtice, by the oath of one lawful witneſs, that ſuch ſervant or ſlave had offended in the premiſes, ſuch juſtice ſhall forthwith, unleſs the ſaid forty ſhillings for every ſuch offence be paid before him, iſſue his warrant for raiſing the ſame, by levying on, and diſtreſs and ſale of, the goods and chattels of ſuch perſon ſo liable to pay the ſame, together with the coſts thereof; one moiety thereof to the informer, and the other moiety to the poor of the pariſh: Provided, That if the maſter or miſtreſs, ſo ſummoned, ſhall deliver up any ſlave or ſlaves complained of, and charged with having offended in the premiſes, to the juſtice before whom ſuch complaint ſhall be made, to be publicly puniſhed for ſuch offence, by receiving thirty-nine laſhes at the four moſt public ſtreets of the ſaid town, or ſix days hard labour in the workhouſe of the ſaid pariſh, at the option of the ſaid juſtice, in ſuch caſe, the maſter or miſtreſs ſhall be excuſed from the ſaid forfeiture of forty ſhillings: Provided, That no ſummons ſhall be iſſued, unleſs the complaint be made in a week after the offence committed, in caſe the party liable to the forfeiture ſhall be then in town; otherwiſe, at any time after, within a week when the party liable ſhall be in the ſaid town: But in caſe the ſaid offence ſhall be committed by any free perſon of colour, the party ſo offending ſhall pay ſuch fine as to the ſaid juſtice ſhall ſeem meet, not exceeding five pounds, or [*be*] committed to hard labour in the workhouſe for one week.

If any ſlave be found riding or driving any horſe, &c. furiouſly through the ſtreets,

or careleſsly turning any horſe, &c. looſe,

the owner to forfeit 40*s.*

Juſtice to ſummon the owner.

Penalty may be levied for.

If ſlave delivered up for puniſhment, owner ſaves the penalty.

Complaint to be made in a limited time.

Free people of colour guilty of ſuch offences, to be fined.

XXVI. And be it further enacted by the authority aforeſaid, That all penalties inflicted by this act, and not herein before directed in what manner

Penalties how to be recovered and applied.

manner to be recovered or applied, ſhall be recovered and applied in the following manner: All forfeitures and penalties, not exceeding ten pounds, ſhall be recovered by complaint to any one of his majeſty's juſtices of the peace for the precinct of St. Catherine, who is hereby directed and empowered to compel the payment, by warrant of diſtreſs or otherwiſe, as to him ſhall ſeem beſt calculated to enforce an obedience to ſuch judgment or ſentence as he ſhall paſs therein; if above ten pounds, by action of debt before the judges of his majeſty's ſupreme court of judicature, where no eſſoin, protection, or wager of law, ſhall be allowed; one moiety thereof to the informer, or him, her, or them, who ſhall ſue or proſecute for the ſame, and the other moiety thereof to his majeſty, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland.

Limitation of actions.

XXVII. And be it enacted by the authority aforeſaid, That if any ſuit or action ſhall be brought or proſecuted againſt any perſon or perſons, for any thing done or to be done in purſuance or under the authority of this preſent act, every ſuch action or ſuit ſhall be commenced within ſix months after the fact committed, and not afterwards; and the defendant or de-

General iſſue.

fendants, in ſuch action or ſuit, may plead the general iſſue, "not guilty," and give this preſent act and the ſpecial matter in evidence at any trial to be had thereupon, and that the ſame was done in purſuance and by the authority of this act; and if the ſame ſhall appear to have been ſo done, or if any ſuch action or ſuit ſhall be brought after the time before limited for bringing the ſame, that then, in ſuch caſe or caſes, the jury ſhall find a verdict for the defendant or defendants; or if the plaintiff or plaintiffs ſhall become non-ſuited, or ſuffer a diſcontinuance of his, her, or their action or actions, or if a verdict ſhall paſs againſt the plaintiff or plaintiffs, the defendant or defendants

Treble coſts.

ſhall have treble coſts, and have the like remedy for the ſame as any defendant or defendants hath or have for coſts of ſuit in any other caſes by law.

Public act.

XXVIII. And be it further enacted by the authority aforeſaid, That this act ſhall be taken and allowed in all courts of juſtice as a public act; and all judges, juſtices, and others, are hereby required to take notice thereof as ſuch, without the ſame being ſpecially pleaded.

CAP. VI.

REPEALED. *An act to repeal ſeveral acts and clauſes of acts reſpecting ſlaves, and for the better order and government of ſlaves; and for other purpoſes.*—[22d December, 1787.]

CAP. VII.

EXPIRED. *An act for raiſing and fitting out parties for ſuppreſſing any rebellion in this iſland, during the continuance of this act.*—[22d December, 1787.]

CAP. VIII.

EXPIRED. *An act for the further relief of inſolvent debtors impriſoned for debt.*—[22d December, 1787.]

CAP.

CAP. IX.

An act for eſtabliſhing and declaring rules and articles of war.—[22d December, 1787.] EXPIRED.

CAP. X.

An act for regulating the fees of the maſters of the high court of chancery of this iſland.—[22d December, 1787.] EXPIRED.

CAP. XI.

An act to prohibit the holding of elections of members to serve in the assembly, in any of the churches or chapels of this island; to declare where such elections shall be holden in future; and to prevent disturbances and riots which might ensue from public entertainments on the days of holding such elections.—[22d December, 1787.]

FORASMUCH as it hath been uſual, in certain pariſhes within this iſland, to hold elections of members to ſerve in the aſſembly in the churches or chapels of ſuch pariſhes, whereby, in caſes of conteſted elections, debates, contentions, and tumults, have ariſen therein, and may ariſe, to the great ſcandal of the Chriſtian religion, and the profeſſors thereof: May it pleaſe your moſt excellent majeſty that it may be enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That, from and after the paſſing of this act, it ſhall not be lawful for the provoſt-marſhal-general, or any perſon acting under his authority, to hold or cauſe ſuch elections to be holden, and a poll to be taken, in any of the churches or chapels of this iſland, on any pretence whatever; but that all elections, ſo held, ſhall be null and void. Preamble. Elections held in any churches or chapels to be void.

II. And be it further enacted by the authority aforeſaid, That in each pariſh of this iſland where there is a court-houſe or veſtry-room, or other rooms or buildings diſtinct and ſeparate from the church, appropriated to parochial buſineſs or the holding courts of common pleas or quarter-ſeſſions, it ſhall and may be lawful for the provoſt-marſhal-general, or his lawful deputy, to hold elections for the choice of perſons to ſerve in the aſſembly of this iſland in ſuch court-houſe, veſtry-room, or other rooms or buildings; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding: And, where there is no ſuch court-houſe, veſtry-room, or other room or building, in any pariſh, diſtinct from the church, the churchwardens of ſuch pariſh are hereby authorized and empowered to hire a room, or erect a booth, for that purpoſe, at the expence of the pariſh, not exceeding the ſum of twenty five pounds, as near as poſſible to the place where the public and parochial buſineſs is tranſacted. They must be held in the place where parochial buſiness usually transacted. If there is no such place, churchwardens to provide a room or booth, at expence of the parish, not exceeding 25*l*.

III. And,

Candidates not to give public entertainments on days of holding elections;

III. And, in order to prevent needleſs expences, diſturbances, and riots on the days of holding ſuch elections, be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, it ſhall not be lawful for any perſon or perſons offering themſelves as candidates at ſuch elections, either before or after the election is over, by themſelves or agents, directly or indirectly, to give public entertainments of proviſions or liquor, on the days of holding ſuch elections, whether in public houſes, or in houſes or booths hired or erected for the purpoſe.

if they do, ſuch elections to be void, as to the givers; who cannot be choſen for the enſuing ſeſſion.

IV. And it is hereby enacted and declared, That if any ſuch entertainment ſhall be given, contrary to the true ſpirit and meaning of this act, ſuch election, as to the candidate giving, or cauſing to be given, ſuch entertainment, ſhall be null and void; and, in caſe ſuch candidate ſhall have a majority of votes on the poll, a new writ ſhall iſſue, and the candidate ſo offending ſhall be adjudged incapable of being choſen into the aſſembly, during the ſeſſion to be holden next after ſuch election.

Churchwardens to provide refreſhment for freeholders, at expence of the parish, not exceeding 50*l.*

V. And whereas many freeholders reſide at a great diſtance from the place of election: Be it therefore further enacted, That the churchwardens of each pariſh reſpectively be empowered, and they are hereby required, on the day of election, to cauſe to be provided proper refreſhment for the freeholders, at the expence of the pariſh, not exceeding fifty pounds; any thing in this or any other law to the contrary thereof in anywiſe notwithſtanding.

CAP. XII.

EXPIRED. *An act to repeal two ſeveral acts of this iſland, one entitled, "An act for appointing commiſſioners for ordering and inſpecting the works in and about the forts, fortifications, and barracks of this iſland;" the other entitled, "An act to add commiſſioners to thoſe already appointed for carrying on the works in and about the forts, fortifications, and barracks of this iſland, and to thoſe already appointed for building, finiſhing, and repairing, the public edifice in St. Jago de la Vega;" and for appointing commiſſioners for forts, fortifications, and public buildings.*—[22d December, 1787.]

CAP. XIII.

EXPIRED. *An act for applying the ſurpluſage of the money that ſhall ariſe by virtue of "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof," to certain uſes.*—[31ſt December, 1787.]

CAP. XIV.

EXPIRED. *An act to continue an act entitled, "An act for laying a duty on all wines, arrack, brandy, and gin, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of wines, arrack, brandy, and gin, and on the public offices, and on rum ſold for conſumption in this iſland; and applying the ſame to ſeveral uſes."*—[31ſt December, 1787.]

CAP.

CAP. XV.

An act for the more effectual prevention of smuggling; and for the better collecting certain duties and imposts granted by the laws of this island, towards the support of the government thereof.—[10th January, 1788.]

WHEREAS the laws now in force for preventing the clandestine importation of foreign produce, goods, and manufactures, into this island, are in many cases defective and insufficient: And whereas it has been found difficult, and, in some cases, impossible, for the receiver-general, or his deputies, to collect the duties and imposts established by an act entitled, *An act for granting a revenue to his majesty, his heirs and successors, for the support of the government of this island; and for reviving and perpetuating the acts and laws thereof*, which passed in the year one thousand seven hundred and twenty-eight, and such other duties and imposts as have since been established: May it please your most excellent majesty, that it may be enacted and ordained by the lieutenant-governor, council, and assembly, of this your majesty's island of Jamaica, and it is hereby enacted and ordained by the authority of the same, That, from and after the passing of this act, the collector and comptroller at the several ports of this island shall, on the entry of every ship or vessel, make out, as far as the same can be ascertained from the manifest, cockets, and other documents produced to them by the master or supercargo of such ship or other vessel, a certificate or account of the quantity in tons of all Spanish and Madeira wines; the quantity in tons of all French, Rhenish, or Portugal wines; the quantity in gallons of all brandy, arrack, or other spirits; the quantity in tons of all beer, ale, cyder, or perry, whether in casks or bottles; the quantity in tons of all mum or metheglin, imported in such ship or vessel; together also with separate and distinct accounts of all refined sugar, tobacco, ginger, and all goods whatsoever imported in such ship or vessel, on which duties are payable by the laws of this island, distinguishing the quantity of each: And the said collector and comptroller are hereby required to sign such certificate, and transmit the same, together with the said cockets, to the naval officer, or his lawful deputy; who is hereby required carefully to examine and compare such certificate by and with the said cockets, and also with the manifest required by law to be lodged in his office by such master or supercargo, and, on finding the statement or account therein contained to be right, the naval officer, or his deputy, shall also sign the said certificate, and shall then transmit the same, together with the said cockets, to the receiver-general, or his lawful deputy; who shall make out therefrom, and from the manifest, also required by law to be lodged in his office, an account of all the duties and imposts established by the laws of this island on the several goods and commodities aforesaid; and the said receiver-general, or his lawful deputy, shall thereupon, in like manner, sign the

Preamble.

1 *Geo.* II. *cap.* 1.

Collector and comptroller to make out a certificate of the quantity of all liquors and goods imported in each vessel, liable to duties;

which they are to sign and send to naval officer;

who, finding them right, is to transmit them to receiver-general;

and he is to make out an account of imposts due, and send it, with certificate, to col-

lector and comptroller, to be filed; who are to grant permit for landing.

the ſaid certificate, and return the ſame, together with the ſaid cockets, to the ſaid collector and comptroller, who, on receiving them back, ſhall file the ſaid certificate in the collector's office; and then, and not before, ſhall grant the uſual permit or permits for the landing the goods.

Eſtimation of casks, until aſcertained by actual gauge.

II. And whereas it frequently happens that the cockets for wine, and other liquors, ſpecify only the number of caſks or packages, without expreſſing the contents of ſuch caſks or packages: Be it enacted by the authority aforeſaid, That, in all ſuch caſes, and until the contents can be aſcertained by actual gauge, each butt, pipe, hogſhead, and quarter-caſk, ſhall be eſtimated as follows; that is to ſay, Each butt, one hundred and forty gallons; each pipe, one hundred and twenty-ſix gallons, or half a ton; each hogſhead, ſixty-three gallons; and each quarter-caſk, thirty-one gallons; and the duties be charged thereon accordingly; and, on all ſuch liquor as ſhall be imported in bottles, the duties ſhall be calculated at the rate of three gallons for each dozen bottles.

Goods not to be landed till the duties are paid;

under penalty of forfeiting goods, boats, &c.

Officers to ſeize them.

III. Provided nevertheleſs, and it is hereby enacted and ordained, That no part of the ſaid goods ſhall be landed until the duties and impoſts granted thereon by the laws of this iſland, and aſcertained as aforeſaid, are fully paid into the hands of the receiver-general, or his lawful deputy, or bond given for the ſame, as herein after mentioned, under the penalty of the forfeiture thereof, together with the boats, wherries, or canoes, in which the ſame are landed; and the ſaid receiver-general and naval officer, and their lawful deputies, or either of them, are hereby authorized and empowered to make ſeizure thereof.

Receiver-general to pay fees to collector, comptroller, and naval officer.

IV. And be it further enacted by the authority aforeſaid, That, on all ſuch certificates on which duties ſhall actually be paid, the ſaid collector, comptroller, and naval officer, or his lawful deputy, ſhall be intitled to receive, from the ſaid receiver-general or his lawful deputy, the following fees; that is to ſay, The collector the ſum of ten ſhillings, the comptroller the ſum of five ſhillings, and the naval officer the ſum of five ſhillings, and no more; which fees the ſaid receiver-general is hereby empowered and directed to pay and allow, and to charge the ſame to the account of the ſaid duties.

Duties, under penalty of 200*l.* to be paid in 48 hours after arrival, and before bulk broke,

V. And, for the further ſecuring the payment of the ſaid duties and impoſts, be it further enacted by the authority aforeſaid, That the maſter or ſupercargo of each ſhip or veſſel, having goods and commodities on board liable to the ſame, ſhall, under the penalty of two hundred pounds, within forty-eight hours after his arrival, and before he breaks bulk, enter at the office of the ſaid receiver-general, or his lawful deputy, and pay down the ſaid duties and impoſts, aſcertained as aforeſaid, into the hands of the ſaid receiver-general, or his lawful deputy; or, in default thereof, ſhall deliver up

to

to the ſaid receiver-general, or his lawful deputy, the original regiſter of ſuch ſhip or veſſel, taking a receipt for the ſame, which the ſaid receiver-general, or his deputy, is hereby directed to give; and the ſaid receiver-general, or his lawful deputy, is hereby authorized to detain ſuch regiſter until all ſuch duties and impoſts are fully paid and diſcharged: Provided nevertheleſs, That the deduction of ten *per centum* for leakage and prompt payment, as allowed by the aforeſaid act of this iſland, entitled, *An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof*, ſhall be allowed and continued as formerly, and on all other duties collected by virtue of the powers given by this act.

or original' register to be delivered up; which receiver-general may detain till duties paid.

Deductions allowed by 1 *Geo.* II. *cap.* 1, confirmed.

VI. And whereas difficulties have ariſen, and may ariſe, upon information being given of goods illicitly imported being concealed, lodged, or ſecured, in houſes, ſtorehouſes, and other places locked up, for want of proper and ſufficient authority to enter ſuch houſes, ſtores, or locked-up places: Be it therefore enacted by the authority aforeſaid, That in all caſes where information is given, on the oaths of the collector, comptroller, or other officer of his majeſty's cuſtoms, or on the oaths of the naval officer, receiver-general, or either of their lawful deputies, of ſuch goods being concealed, lodged, or ſecured, or ſuſpected ſo to be, in any houſe, ſtore, or other place whatſoever, and that the party or parties having the care or cuſtody thereof cannot immediately be found, or, on being ſo found, doth refuſe to open and permit the ſame to be ſearched, by any perſons authorized to make ſeizures demanding the ſame, it ſhall and may be lawful for any judge of the ſupreme court, or any two magiſtrates, on application being made to him or them, and he and they are hereby authorized and required, under the penalty of two hundred pounds, immediately on ſuch application being made, to grant a writ or writs of aſſiſtance, for the entering and ſearching ſuch ſuſpected place or places; which ſaid writ or writs of aſſiſtance ſhall be directed to the provoſt-marſhal-general of this iſland, or any of his lawful deputies, or to any conſtable or conſtables of the ſaid pariſh; who are hereby required forthwith to execute the ſame, by aiding the officer applying for ſuch writ or writs, in the ſeizing ſuch goods, under the penalty of two hundred pounds for every refuſal or neglect.

Oath being made, by a proper officer, of goods ſuſpected to be concealed, magiſtrates, under penalty of 200*l.* to grant writ of aſſiſtance,

directed to marſhals or conſtables, who are to aſſiſt officer, or forfeit 200*l.*

VII. And whereas a practice hath prevailed, among the maſters and ſupercargoes of ſhips and other veſſels, of entering for exportation Madeira and other wines, and afterwards privately landing and ſelling the ſame for conſumption, without paying the duties and impoſts eſtabliſhed thereon by the laws of this iſland: For remedy whereof, It is hereby enacted by the authority aforeſaid, That no ſuch wines ſhall be landed, on any pretence whatſoever, out of any ſhip or veſſel, unleſs payment be firſt made, as aforeſaid, of ſuch duties and impoſts, or bond given for the ſame; the payment of which bond ſhall be made before the clearing outwards of the ſaid ſhip or veſſel,

No wines to be landed till duties paid, or bond given for payment; and the regi-

ſter to remain as ſecurity. If wines exported, duties to be returned.

veſſel, and the regiſter of ſuch ſhip or veſſel ſhall remain as a ſecurity for ſuch payment: Provided nevertheleſs, That if the importer ſhall afterwards prove, to the ſatisfaction of the receiver-general, or his lawful deputy, the due payment of ſuch duties and impoſts, the ſame ſhall be drawn back, and repaid on the exportation of the ſaid wines.

VIII. And whereas, by an act of the parliament of Great-Britain, which paſſed the twenty-ſixth year of his preſent majeſty's reign, "For regulating "the production of manifeſts," maſters of ſhips and other veſſels, clearing out for Great-Britain from any of the Britiſh dominions, and having wine on board, are obliged to deliver a manifeſt thereof, in writing, to the collector or chief officer of the cuſtoms, as by the ſaid act, reference being thereunto had, will more fully appear: Be it enacted by the authority aforeſaid, That the receiver-general of this iſland, or any of his lawful deputies, ſhall not preſume, under the penalty of two hundred pounds, to clear out any ſhip or other veſſel, from any of the ports of this iſland, having wine on board, until the maſter, commander, or ſupercargo, ſhall have produced and delivered to the ſaid receiver-general, or his lawful deputy, a duplicate of ſuch manifeſt; which the collector and comptroller of the port are hereby required to atteſt, and the ſame ſhall be filed in the office of the ſaid receiver-general.

Veſſels having wine on board, not to be cleared out till duplicate of manifeſt delivered to receiver-general, under penalty of 200*l.*

IX. And be it further enacted by the authority aforeſaid, That where any goods ſhall be ſeized by the receiver-general, or his lawful deputy, as forfeited, by or in purſuance of this act, or by the naval officer or his lawful deputy, or any of the officers of the cuſtoms of this iſland, or either of them, under any act or acts of this iſland, or of the parliament of Great-Britain, and it ſhall happen that the value of the goods ſo ſeized doth not exceed, at any one time, the ſum of one hundred pounds, all ſuch ſeizures ſhall and may, in a ſummary way, be proceeded upon, examined into, heard, adjudged, and determined, by and before any one of the judges of the ſupreme court, or before two or more of his majeſty's juſtices of the peace reſiding near to the place, or in the pariſh, where ſuch ſeizure or ſeizures ſhall be made; which ſaid juſtices of the peace ſhall be, and are hereby, authorized and empowered to cauſe the reſpective perſon or perſons in whoſe cuſtody ſuch goods, ſo ſeized as aforeſaid, were found at the time of the ſeizure thereof, to be ſummoned to appear before them, at a certain time and place to be fixed by the ſaid judge or juſtices; who are hereby fully authorized, empowered, and required, upon the appearance or default of ſuch perſon or perſons ſo ſummoned, to examine into the cauſe of ſuch ſeizure or ſeizures, and thereupon to proceed to give judgment for the condemnation of ſuch goods ſo ſeized (except as before excepted), as, upon due examination, ſhall be found to be forfeited by virtue of this act, or of any other act or acts of this iſland or of the parliament of Great-Britain, together with the caſks, and other veſſels whatſoever, containing the ſame, and to iſſue out their

Goods ſeized as forfeited, not exceeding 100*l.* in value, to be condemned in a ſummary way by one judge of grand court, or two juſtices of peace;

who are to ſummon perſons in whoſe cuſtody they were found,

inquire into the cauſe of the ſeizure, condemn them,

their warrants for the ſale of ſuch goods as ſhall be ſo by them condemned, and of the caſks, and other veſſels whatſoever, containing the ſame; and ſuch their judgments ſhall be, and are hereby declared to be, taken and adjudged to be good, valid, and effectual in the law, and final, to all intents and purpoſes whatſoever, and not liable to any appeal, or to be removed by any writ or writs of *certiorari*; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding.

and iſſue warrants for the ſale thereof.

Their ſentence to be final.

X. And be it enacted by the authority aforeſaid, That, from and after the paſſing of this act, all ſeizures of veſſels or boats of the burthen of fifteen tons, or under, which ſhall be made by virtue of this or any other act of this iſland or of the parliament of Great-Britain, where the ſaid veſſels or boats alone ſhall be the objects of ſeizure, or where the cargo or goods on board thereof, in caſe the ſame ſhall be alſo ſeized, ſhall not exceed in value the ſum of fifty pounds, ſhall and may be likewiſe examined into, heard, adjudged, and determined, in manner aforeſaid.

Seizures of veſſels, &c. under fifteen tons, and cargo of no greater value than 50*l.* to be proceeded on in like manner.

XI. And, for preventing the great charges that the receiver-general may be put to in the proſecuting goods ſeized under this act, exceeding the value of one hundred pounds, by groundleſs and vexatious claims, be it enacted by the authority aforeſaid, That every perſon, upon entry of any claim in the court in which ſuch goods are proſecuted, ſhall be obliged to give ſecurity, in the penalty of one hundred pounds, to anſwer and pay the coſts occaſioned by ſuch claim; and, in default of giving ſuch ſecurity within the time limited by the courſe of that court for entering claims, condemnation of ſuch goods ſhall be pronounced.

Perſons claiming forfeited goods, to give ſecurity to pay coſts.

XII. And whereas it may happen, from leakage and other cauſes, that butts, pipes, hogſheads, and quarter-caſks, of Madeira and other wines, may be found to contain, on actual gauge, a leſs number of gallons than by this act is preſcribed, and for which the duties are directed to be paid, before landing: Be it enacted by the authority aforeſaid, That, in ſuch caſes, the duties charged and taken thereon ſhall be finally ſettled and adjuſted by the receiver-general, or his lawful deputy, according to the actual contents of ſuch caſks, or as the ſame ſhall be aſcertained and charged by the collector of the cuſtoms for the port where ſuch wines are entered.

Duties on wines to be paid only for actual contents in caſks.

CAP. XVI.

An act for the better order and government of the negroes belonging to the ſeveral negro-towns, and for preventing them from purchaſing of ſlaves; and for encouraging the ſaid negroes to go in purſuit of runaway ſlaves; and for other purpoſes therein mentioned.—[10th January, 1788.]

REPEALED.

CAP.

CAP. XVII.

REPEALED. *An act for amending and keeping in repair the road leading from St. Jago de la Vega, in the parish of St. Catherine, to the junction of the May-day-hill road, at the fig-tree in Olyphant's lane, in the parish of Clarendon; and for vesting in trustees the toll raised by a turnpike on the said road, for the purposes aforesaid.*—[10th January, 1788.]

CAP. XVIII.

EXPIRED. *An act for laying a duty on tonnage, and applying the same to the use of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of "An act for granting a revenue to his majesty, his heirs and successors, for the support of the government of this island; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchase gunpowder, under certain regulations.*—[10th January, 1788.]

CAP. XIX.

EXPIRED. *An act for laying an additional duty on all wines, brandy, gin, and other spirits or spirituous liquors, and on all beer, ale, porter, cyder, and perry, and also a duty on flour and biscuits, imported into this island.*—[10th January, 1788.]

CAP. XX.

EXPIRED. *An act for laying a duty on all wines, arrack, brandy, and gin, retailed within this island; and for laying a further tax on licenses to be granted for the retailing of wines, arrack, brandy, and gin, and on the public offices, and on rum sold for consumption in this island; and for applying the same to several uses.*—[10th January, 1788.]

CAP. XXI.

EXPIRED. *An act to enable his honour Alured Clarke, esquire, lieutenant-governor and commander in chief of this island, or the governor or commander in chief for the time being, to issue his majesty's royal proclamation, during the recess of the present assembly, prohibiting the exportation of flour and other provisions from this island, for a limited time.*—[10th January, 1788.]

CAP. XXII.

EXPIRED. *An act for raising a tax by the poll, and on trades, supercargoes, and masters of vessels in the out-ports; and on offices and houses; and for laying a tax on certain wheel-carriages; and applying the same to several uses.*—[10th January, 1788.]

CAP.

CAP. XXIII.

An act to repeal an act entitled, "An act to prevent the enticing or inveigling of slaves from the poſſeſſors, and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and alſo one other act, entitled, "An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, 'An act for the better order and government of ſlaves;' and the other entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;' and alſo one other act, entitled, "An act to repeal part of an act entitled, 'An act for the better order and government of ſlaves;' and alſo of one other act, entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers and tenants for life and years; and for regulating abuſes committed by ſlaves;' and alſo part of one other act entitled, 'An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, 'An act for the better order and government of ſlaves,' and the other entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;' [and for the more effectual preventing the inveigling, hiding, concealing, or employing, the ſlaves of others; and for rendering the puniſhment of ſuch offenders more certain and effectual;]" *and alſo part of an act entitled, "An act for the better order and government of ſlaves;" and to prevent the hiding, concealing, inveigling, detaining, knowingly harbouring, or employing, the ſlaves of others; and for preventing the tranſportation of ſlaves by mortgagers and tenants for life and years; and for regulating abuſes committed by ſlaves.*—[10th January, 1788.] EXPIRED.

CAP. XXIV.

An act for borrowing a ſum of money by way of lottery, for the payment and diſcharge of certain certificates, bearing an intereſt of ten pounds per centum, *which were granted for the ſubſiſtence of his majeſty's troops.*—[10th January, 1788.] EXPIRED.

CAP. XXV.

An act for the more ſpeedy collecting the public taxes, and the arrears thereof now due.—[10th January, 1788.] EXPIRED.

CAP. XXVI.

An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.—[10th January, 1788.] EXPIRED.

Anno

Anno regni Georgii tertio viceſimo nono.

CAP. I.

An act to repeal an act entitled, "An act for the eaſe of the inhabitants of the pariſh and precinct of St. Elizabeth," paſſed in the year of our Lord one thouſand ſeven hundred and twenty-three; and to authorize and empower the juſtices and veſtrymen of the ſaid pariſh to direct and appoint the place where the courts and veſtries of the ſaid pariſh ſhall be held in future.—[6th December, 1788.]

Preamble.

WHEREAS an act of the governor, council, and aſſembly of this iſland, entitled, *An act for the eaſe of the inhabitants of the pariſh and precinct of St. Elizabeth*, paſſed in the year of our Lord one thouſand ſeven hundred and twenty-three, has been found inconvenient by the inhabitants of the ſaid pariſh: We, therefore, your majeſty's dutiful and loyal ſubjects, the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, do moſt humbly beſeech your majeſty that it may be enacted, and it is hereby enacted by the authority of the ſame, That the ſaid act, and every clauſe, matter, and thing, therein contained, be, and the ſame are hereby, repealed, annulled, and made void, to all intents and purpoſes, as if the ſaid act had never been made.

Repeal of recited act.

II. And be it further enacted by the authority aforeſaid, That, for the future, the juſtices and veſtrymen of the ſaid pariſh ſhall, on the firſt quarter-day in each year, direct and appoint the place where the veſtries for that year ſhall be held; and that a majority of the juſtices ſhall determine and direct, at their firſt meeting in each year, the place where the courts of quarter-ſeſſions and common pleas ſhall be held for that year.

Juſtices and veſtry to direct where veſtries, and a majority of juſtices where courts, ſhall be held.

CAP. II.

EXPIRED.

An act to repeal an act entitled, "An act to repeal ſeveral acts, and clauſes of acts, reſpecting ſlaves, and for the better order and government of ſlaves; and for other purpoſes;" and alſo to repeal the ſeveral acts, and clauſes of acts, which were repealed by the act entitled as aforeſaid; and for conſolidating, and bringing into one act, the ſeveral laws relating to ſlaves, and for giving them further protection and ſecurity; for altering the mode of trial of ſlaves charged with capital offences; and for other purpoſes.—[6th December, 1788.]

CAP. III.

EXPIRED.

An act to repeal an act entitled, "An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors, and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and alſo one other act, entitled, "An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, 'An act for

for the better order and government of ſlaves;' and the other entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;" and alſo one other act, entitled, "An act to repeal part of an act entitled, 'An act for the better order and government of ſlaves;' and alſo of one other act, entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;' and alſo part of one other act, entitled, 'An act to inflict further and other puniſhments on the tranſgreſſors of two ſeveral acts, the one entitled, 'An act for the better order and government of ſlaves,' and the other entitled, 'An act to prevent the enticing or inveigling of ſlaves from the poſſeſſors; and for the preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves;' [and for the more effectual preventing the inveigling, hiding, concealing, or employing, the ſlaves of others; and for rendering the puniſhment of ſuch offenders more certain and effectual;]" *and alſo part of an act entitled, "An act for the better order and government of ſlaves;" and to prevent the hiding, concealing, inveigling, detaining, knowingly harbouring, or employing, the ſlaves of others; and for preventing the tranſportation of ſlaves by mortgagers, and tenants for life and years; and for regulating abuſes committed by ſlaves.*—[6th December, 1788.]

CAP. IV.

An act for veſting ſix hundred acres of land, in the pariſh of St. George, patented for a glebe for the uſe of the rector of the ſaid pariſh for the time being, in trustees, in trust as to three hundred acres, part thereof, to ſell and diſpoſe thereof, and to lay out the money ariſing from ſuch ſale in manner herein mentioned; and as to the remainder thereof, in trust for the uſe of the rector of the ſaid pariſh for the time being, and his ſucceſſors, rectors of the ſaid pariſh.—[6th December, 1788.]

WHEREAS his moſt gracious majeſty king George the third, by his letters patent under the broad ſeal of this iſland, bearing date the fourteenth day of July, in the thirteenth year of his reign, did, for the conſideration therein mentioned, give and grant unto John Ellis, Thomas Hibbert, and Bryan Edwards, eſquires, their heirs and aſſigns, in truſt for a glebe for the rector of the pariſh of St. George for the time being, three hundred acres of land in the ſaid pariſh, bounding north-weſterly and weſterly, ſouth-eaſterly and eaſterly, on Buff-Bay river; northerly on a large ſpring, being the boundary to the maroon negroes of Charles-Town; eaſterly on land ſurveyed at ſame time for the honourable John Ellis, Thomas Preamble.

mas Hibbert junior, and Bryan Edwards, eſquires, in truſt for a glebe; ſouth-weſterly on a ſpring running into Buff-Bay river; north on land patented by Reginald Wilſon, then belonging to George Cruickſhank; and weſt on William Cumming: And whereas his ſaid majeſty king George the third, by other letters patent under the broad ſeal of this iſland, bearing date the ſaid fourteenth day of July, in the ſaid thirteenth year of his reign, and [*did*], for the conſideration therein mentioned, give and grant unto the ſaid John Ellis, Thomas Hibbert, and Bryan Edwards, their heirs and aſſigns, in truſt for a glebe for the rector of the pariſh of St. George for the time being, three hundred acres of land in the ſaid pariſh, bounding north on land in the poſſeſſion of doctor Francis Roſs; northerly and north-weſterly on a ſpring; eaſt on unſurveyed land; ſouth on land patented by John Colbeck, then belonging to John M'Leod, eſquire; and weſterly on land laid out at ſame time for the honourable John Ellis, Thomas Hibbert junior, and Bryan Edwards, eſquires, in truſt for a glebe; as in and by the ſaid letters patent, of record in the ſecretary's office of this iſland, may appear: And whereas the ſaid John Ellis hath ſince departed this life, and the ſaid Thomas Hibbert is an abſentee from this iſland, and reſident in the kingdom of Great-Britain: And whereas great part of the ſaid glebe land is at a great diſtance from where the church is intended to be built, and the ſame lies waſte, unincloſed, and uncultivated, and is at preſent of very little or no uſe or advantage to the rector of the ſaid pariſh: And whereas it will greatly tend to the benefit and advantage of the rector of the ſaid pariſh for the time being, and of his ſucceſſors, rectors of the ſaid pariſh, that three hundred acres of land, part of the ſaid ſix hundred acres ſo as aforeſaid patented for a glebe for the uſe of the rector of the ſaid pariſh for the time being as aforeſaid, ſhould be ſold and diſpoſed of, and the monies ariſing from ſuch ſale laid out and inveſted in the purchaſe of ſlaves, to be employed in the cultivation and improvement of the remainder of the ſaid land ſo intended to be occupied and uſed as a glebe, whereby conſiderable profit and advantage would ariſe and accrue to the rector of the ſaid pariſh for the time being, and to his ſucceſſors, rectors of the ſaid pariſh: And whereas the ſale of the ſaid land cannot be effected, nor ſuch ſlaves purchaſed for the uſe of the ſaid rector, without the aid and authority of the legiſlature: May it pleaſe your moſt excellent majeſty, at the humble ſuit of the juſtices, churchwardens, rector, and veſtrymen, of the ſaid pariſh of St. George, that it be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this his majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That the ſaid ſix hundred acres of land, ſo as aforeſaid granted by his moſt gracious preſent majeſty king George the third, by his ſaid herein-before recited letters patent, bearing date reſpectively the fourteenth day of July, one thouſand ſeven hundred and ſeventy-three, unto the ſaid John Ellis, Thomas Hibbert, and Bryan Edwards, in truſt for a glebe, as herein-before mentioned, with all and every the rights, members, and appurtenances, thereunto belonging

or

or in anywiſe appertaining, and every part and parcel thereof, ſhall, from and immediately after the paſſing of this act, be, and the ſame is hereby, veſted in and ſettled upon the honourable Fortunatus Dwarris, Peter Ingram, Henry Shirley, Rupert Mackay, and William Cumming, eſquires, and their heirs and aſſigns, to the uſe of them the ſaid Fortunatus Dwarris, Peter Ingram, Henry Shirley, Rupert Mackay, and William Cumming, their heirs and aſſigns, for ever freed and abſolutely acquitted, exempted, exonerated, and diſcharged, of and from all and every the uſes, eſtates, truſts, and reſtrictions, which in and by the ſaid in part recited letters patent, or either of them, are created, limited, provided, expreſſed, or declared, of or concerning the ſame or any part thereof; but nevertheleſs upon the truſts, and to and for the ſeveral uſes, ends, intents, and purpoſes, hereinafter mentioned, expreſſed, and declared, of and concerning the ſame; that is to ſay, As to, for, and concerning, three hundred acres of land, part of the lands compriſed in the ſaid letters patent herein-before reſpectively recited, upon truſt, and to the intent and purpoſe, that it ſhall and may be lawful to and for the ſaid Fortunatus Dwarris, Peter Ingram, Henry Shirley, Rupert Mackay, and William Cumming, or any two of them, and the ſurvivor of them, and the heirs of ſuch ſurvivor, and they or any two of them, and the ſurvivor of them, and the heirs of ſuch ſurvivor, are and is hereby empowered and directed, by any deed or deeds, conveyances, and aſſurances in the law, to be duly ſealed and delivered by them, or any two of them, or the ſurvivor of them, or the heirs of ſuch ſurvivor, abſolutely to grant, bargain, ſell, convey, and confirm, the ſaid three hundred acres, being part of the ſaid ſix hundred acres of land mentioned and compriſed in the ſaid herein-before two ſeveral recited letters patent, and the fee-ſimple and inheritance thereof, unto one or more purchaſer or purchaſers, for the beſt price that can be got for the ſame, which the ſaid Fortunatus Dwarris, Peter Ingram, Henry Shirley, Rupert Mackay, and William Cumming, or any two of them, and the ſurvivor of them, and the heirs of ſuch ſurvivor, are and is hereby enabled, authorized, and empowered to grant, bargain, ſell, and convey, as aforeſaid; and which three hundred acres of land, ſo directed to be ſold as aforeſaid, may be ſo ſold and conveyed together or in parcels, as ſhall be moſt convenient and advantageous; and that the ſaid three hundred acres, ſo to be ſold as aforeſaid, ſhall be ſuch part of the ſaid ſix hundred acres as to the ſaid truſtees, or any two of them, or the ſurvivor of them, or the heirs of ſuch ſurvivor, ſhall ſeem meet.

Truſtees appointed for ſale of three hundred acres of glebe land;

II. And be it further enacted by the authority aforeſaid, That the purchaſe-money to ariſe from the ſale of the ſaid three hundred acres of land, ſo directed to be ſold as aforeſaid, ſhall, as ſoon as conveniently may be, [*be*] laid out by them the ſaid Fortunatus Dwarris, Peter Ingram, Henry Shirley, Rupert Mackay, and William Cumming, or any two of them, or the ſurvivor of them, or the heirs of ſuch ſurvivor, in the purchaſe

the monies ariſing therefrom is to be applied in the purchaſe of negroes,

or purchaſes of negro or other ſlaves; and that ſuch ſlaves ſhall be ſo purchaſed by or in the names of the ſaid Fortunatus Dwarris, Peter Ingram, Henry Shirley, Rupert Mackay, and William Cumming, or the ſurvivors or ſurvivor of them, or the heirs of ſuch ſurvivor; in truſt, nevertheleſs, and to and for the uſe of the rector of the ſaid pariſh of St. George for the time being, and of his ſucceſſors, rectors of the ſaid pariſh, and to be worked and employed upon the ſaid three hundred acres of land, hereinafter appropriated for a glebe in the ſaid pariſh.

for the use of the rectors for the time being.

III. And be it further enacted by the authority aforeſaid, That in the mean time, and until ſuch ſale or ſales, conveyances, and aſſurances, ſhall be made in purſuance of this act as aforeſaid, they the ſaid Fortunatus Dwarris, Peter Ingram, Henry Shirley, Rupert Mackay, and William Cumming, and the ſurvivors and ſurvivor of them, and the heirs of ſuch ſurvivor, ſhall permit and ſuffer the premiſes, hereby veſted in them in truſt to be ſold as aforeſaid, to be held and enjoyed, and the rents and profits thereof, if any, to be had, received, and taken, by and for the benefit of the rector of the ſaid pariſh for the time being, and his ſucceſſors, rectors of the ſaid pariſh, as if this act had not been made.

Until such sale take place, trustees to permit rents, &c. to be received by rector;

IV. Provided always, and it is hereby further enacted and declared, That in the mean time, and until ſuch purchaſer or purchaſers [*purchaſe or purchaſes*] of ſlaves as aforeſaid can be had and made, it ſhall and may be lawful to and for the ſaid Fortunatus Dwarris, Peter Ingram, Henry Shirley, Rupert Mackay, and William Cumming, or any two of them, and the ſurvivor of them, and the heirs, executors, [*and*] adminiſtrators, of ſuch ſurvivor, with the conſent and approbation of the rector of the ſaid pariſh for the time being, and they are hereby empowered, to place out and inveſt the purchaſe-money of the land ſo directed to be ſold as aforeſaid, after paying and defraying thereout all reaſonable charges and expences incident to the execution of the truſts hereby created and declared, at intereſt, on mortgage, bonds, or other ſufficient ſecurity, which ſaid ſecurity and ſecurities ſhall from time to time be taken in the names of the ſaid truſtees, or the ſurvivors or ſurvivor of them, or the heirs, executors, or adminiſtrators, of ſuch ſurvivor; and that all the intereſt, profits, and proceeds thereof ſhall be had and received by, and belong to, the rector of the ſaid pariſh for the time being.

and until such purchase of slaves is made, trustees to invest the monies arising from sale of lands in securities bearing interest;

the proceeds whereof rector is to receive.

V. And it is hereby further enacted and declared by the authority aforeſaid, That the purchaſer or purchaſers of the ſaid three hundred acres of land, directed to be ſold as aforeſaid, or any part thereof, ſhall and may, from and immediately after the execution and completing of ſuch conveyances and aſſurances of the ſaid premiſes, or any part thereof, as aforeſaid, have, hold, and enjoy, the ſaid premiſes, ſo by this act veſted in truſt to be ſold as aforeſaid, or ſuch part or parts thereof as ſhall be purchaſed by ſuch purchaſer

Purchasers of such lands secured in the possession of them.

chaſer or purchaſers as aforeſaid, abſolutely freed and diſcharged of and from all and every the uſes, truſts, powers, proviſoes, and limitations, in and by the ſaid herein before two ſeveral recited patents, or either of them, limited, created, provided, and expreſſed, and declared of and concerning the ſame; and that the receipt or receipts of the ſaid Fortunatus Dwarris, Peter Ingram, Henry Shirley, Rupert Mackay, and William Cumming, or the ſurvivor of them, or the heirs of ſuch ſurvivor, ſhall from time to time, and at all times after the ſame ſhall be given, be a good and effectual diſcharge to the ſaid purchaſer or purchaſers, and his and their heirs, executors, adminiſtrators, and aſſigns, for ſo much of the ſaid purchaſe-money for which ſuch receipt or receipts ſhall be given; and that, after ſuch receipt or receipt ſhall be given, ſuch purchaſer and purchaſers, his and their heirs, executors, adminiſtrators, and aſſigns, ſhall be, and he and they is and are hereby, abſolutely acquitted and diſcharged of and from ſuch purchaſe-money, and every part thereof; and he, they, or any of them, ſhall not be liable to ſee to the application thereof, or be anſwerable or accountable for any loſs, miſapplication, or non-application, of ſuch purchaſe-money, or any part thereof.

VI. Provided always, and it is hereby further enacted by the authority aforeſaid, That the ſaid Fortunatus Dwarris, Peter Ingram, Henry Shirley, Rupert Mackay, and William Cumming, or any of them, or the heirs, executors, or adminiſtrators, of them, or any of them, ſhall be anſwerable or accountable for, and chargeable with, ſuch ſum and ſums of money, only, as he or they ſhall reſpectively receive, and ſhall not be reſponſible the one of them for the other, but for their own reſpective acts and receipts only. Trustees to be answerable for such monies, only, as they may receive respectively.

VII. And, as to, for, and concerning, the ſaid other three hundred acres of land, herein before mentioned and compriſed in the ſaid letters patent herein before recited, and which will remain after the ſale or ſales herein before directed, it is hereby further enacted and declared by the authority aforeſaid, That the ſame is hereby ſo veſted in the ſaid Fortunatus Dwarris, Peter Ingram, Henry Shirley, Rupert Mackay, and William Cumming, and the ſurvivors and ſurvivor of them, and the heirs of ſuch ſurvivor; in truſt, nevertheleſs, and to and for the uſe of the rector of the ſaid pariſh of St. George for the time being, and his ſucceſſors, rectors of the ſaid pariſh, for and as a glebe: Saving always, to the king's moſt excellent majeſty, his heirs and ſucceſſors, and to all perſon and perſons, bodies politic and corporate, his, her, and their heirs, ſucceſſors, executors, and adminiſtrators (other than and except the ſaid John Ellis, Thomas Hibbert, and Bryan Edwards, and the rector of the ſaid pariſh for the time being, and his ſucceſſors, rectors of the ſaid pariſh, and all and every other perſon and perſons who now do or ſhall, or may hereafter, claim any eſtate or intereſt under or by virtue of the ſaid recited letters patent, or either of them), The remaining 300 acres also vested in the trustees, for the use of the rector. Saving rights.

them), all such estate, right, title, interest, benefit, property, claim, and demand whatsoever, of, in, to, or out of, the said pieces or parcels of land, hereditaments, and premises, hereby vested in trust as aforesaid, every or any part thereof, as they, every or any of them, had before the passing of this act, or could or might have had and enjoyed in case this present act had not been made.

CAP. V.

EXPIRED. *An act to regulate the fees of the governor's secretary.*—[6th December, 1788.]

CAP. VI.

EXPIRED. *An act for raising several sums of money, and applying the same to several uses.*—[6th December, 1788.]

CAP. VII.

EXPIRED. *An act for laying a duty on tonnage, and applying the same to the use of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of "An act for granting a revenue to his majesty, his heirs and successors, for the support of the government of this island; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchase gunpowder, under certain regulations.*—[6th December, 1788.]

CAP. VIII.

EXPIRED. *An act for establishing and declaring rules and articles of war.*—[6th December, 1788.]

CAP. IX.

EXPIRED. *An act to enable his honour Alured Clarke, esquire, lieutenant-governor and commander in chief of this island, or the governor or commander in chief for the time being, to issue his majesty's royal proclamation, during the recess of the present assembly, prohibiting the exportation of flour and other provisions from this island, for a limited time.*—[6th December, 1788.]

CAP. X.

EXPIRED. *An act for raising a tax by the poll, and on trades, supercargoes, and masters of vessels in the out-ports; and on offices and houses; and for laying a tax on certain wheel-carriages; and applying the same to several uses.*—[20th December, 1788.]

CAP. XI.

EXPIRED. *An act for laying a duty on all wines, and upon brandy, gin, and other foreign spirits retailed within this island; and for laying a further tax on licenses to be granted for the retailing of brandy, gin, and other foreign spirits, and on the public offices, and on rum sold for consumption in this island; and for applying the same to several uses.*—[20th December, 1788.]

CAP.

CAP. XII.

An act for repealing certain clauses of "An act for repealing an act entitled, 'An act for the better discovering and collecting the arrears of his majesty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due;' and for the better discovering, ascertaining, and collecting, such arrears; and for the more effectual collecting the quit-rents hereafter to become due;" and for the more easy and effectual collecting, as well the arrears of his majesty's quit-rents, as the quit-rents hereafter to become due to his majesty.—[20th December, 1788.]

WHEREAS *An act for repealing an act entitled, "An act for the better discovering and collecting the arrears of his majesty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due; and for the better discovering, ascertaining, and collecting, such arrears; and for the more effectual collecting the quit-rents hereafter to become due,* passed in the year of our Lord one thousand seven hundred and eighty-three, hath, in many instances been found ineffectual, inconvenient, and difficult to be carried into execution: For remedying whereof, it is expedient that several clauses contained in the said act should be repealed, and more easy and convenient modes adopted for effecting the purposes intended by the said act: May it please your majesty that it may be enacted, and be it therefore enacted by the lieutenant-governor, council, and assembly, of this your majesty's island of Jamaica, and it is hereby enacted by the authority of the same, That, from and after the passing of this act, the second, third, fourth, fifth, sixth, seventh, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, nineteenth, twentieth, twenty-second, and twenty-sixth, enacting clauses of the said act, and every part thereof, be and stand repealed, annulled, and void, and the same are hereby annulled, repealed, and made void, to all intents and purposes.

24 Geo. III. cap. 11.

Repeal of certain clauses of above-recited act.

II. And be it further enacted by the authority aforesaid, That, from and after the passing of this act, all persons who own, hold, enjoy, inherit, occupy, or possess, any lands within this island, in their own right or in right of their wives, shall yearly and every year, on the twenty-eighth day of March, or within thirty days thereafter, give-in, or cause to be given-in, upon oath, or, if of the people called quakers, upon solemn affirmation, before the justices and vestry of the parish where such lands lie, a true and exact account, in writing, of the whole number of acres of land which

Owners, &c. of lands to give-in, upon oath, on the 28th of March yearly, or in thirty days after, an account of all the lands they possess.

which they own, hold, enjoy, inherit, occupy, or poſſeſs, in manner above deſcribed, in the ſaid pariſh where they ſo give-in; and, if foot-land, a true and exact account, in writing, of the number of lots, and the quantity of feet in each lot, which they ſo hold, own, enjoy, inherit, occupy, or poſſeſs, in ſuch pariſh, according to the beſt of their knowledge, information, and belief; and at the foot of each and every account, ſo given-in, ſhall be fairly written the following oath or ſolemn affirmation; *viz.*

The oath for principals.

I, *A. B. do ſwear* (or, *ſolemnly affirm*, if a quaker), *that the above contains a true and exact account of the whole number of acres of land which I do own, hold, enjoy, inherit, occupy, or poſſeſs, in my own right or in right of my wife; and, if foot-land, a true and exact account of the whole number of lots, and the quantity of feet in each lot, which I do own, hold, enjoy, inherit, occupy, or poſſeſs, in the pariſh of according to the beſt of my knowledge, information, and belief. So help me God.*

III. And be it further enacted by the authority aforeſaid, That all mortgagees in poſſeſſion, guardians, attornies, agents, truſtees, executors, and all other perſons in poſſeſſion of lands within this iſland in the right of others, ſhall, in like manner, yearly and every year, on the twenty-eighth day of March, or within thirty days thereafter, give-in, or cauſe to be given-in, upon oath, or, if of the people called quakers, upon ſolemn affirmation, before the juſtices and veſtry of the pariſh where ſuch lands lie, a true, exact, and ſeparate account, in writing, for each particular perſon or conſtituent, of the whole number of acres of land which ſuch guardians, attornies, agents, truſtees, executors, mortgagees in poſſeſſion, or other perſons aforeſaid, then hold, occupy, and poſſeſs, in right of ſuch particular perſon or conſtituent as aforeſaid, in the pariſh where they ſhall ſo give-in; and, if foot-land, a true and exact account, in writing, of the number of lots, and the quantity of feet in each lot, which they ſhall reſpectively hold, occupy, and poſſeſs, in right of other perſons, in the pariſh where they ſhall ſo give-in, according to the beſt of their knowledge, information, and belief; and at the foot of each and every account, ſo given-in, ſhall be fairly written the following oath, or ſolemn affirmation; *viz.*

Perſons holding lands in the right of others to give-in, upon oath, within the ſame time, an account of all the lands they ſo hold.

The oath for agents.

I, *A. B.* (mentioning the capacity in which he acts) *do ſwear* (or, *ſolemnly affirm*, if a quaker), *that the above contains a true and exact account of the whole number of acres of land, or, if foot-land, of the whole number of lots, and the quantity of feet in each lot, in the pariſh of which I am in poſſeſſion of, or have under my care and management, in right of the ſaid to the beſt of my knowledge, information, and belief. So help me God;*

which ſaid oaths or affirmations, hereby required to be taken, ſhall and may be taken before any one juſtice of the peace within this iſland.

IV. And

IV. And be it further enacted by the authority aforesaid, That all persons who hold lands within this island shall pay quit-rents, for the lands so as aforesaid to be given-in before the justices and vestry of the parish where the same lie, at and after the rate of one halfpenny *per* acre, and for footland at and after the rate of one halfpenny *per* foot for two sides of the square added together: Provided always, That if any owner or owners, or any person or persons lawfully authorized by such owner or owners, of lands for which quit-rents are to be paid, is or are willing to surrender the said lands to his majesty, his heirs or successors, he, she, or they, shall be at liberty to make over the same, in due form of law, in lieu of the said quit-rents, so as that his majesty may be enabled to re-grant the same; the person or persons so surrendering any lands first taking the following oath, or making the following solemn affirmation:

Rate of quit-rents.

Owners, &c. of lands for which quit-rents are to be paid, at liberty to surrender the lands in lieu of payment.

I, *A. B. do swear* (or, being a quaker, *do solemnly affirm*), *that neither myself, nor any person for me, have or hath, at any time, received any profit or benefit from the said lands, equal to the sum now due to his majesty for the said quit-rents; and that I do not make this surrender fraudulently, or with an intent to obtain a re-grant for the same, in my own name, or in the name of any other person in trust for me. So help me God;*

Oath on surrendering;

which said oath shall be taken, or solemn affirmation made, in open court, before the judges of the supreme court of judicature, or the justices of either of the courts of assize within this island; and the same shall be recited and set forth in the deed of surrender, to be executed by the said owner or owners, or person or persons lawfully authorized to surrender the said lands.

which must be taken in open court,

V. And, the better to prevent any fraudulent practice of surrendering lands to avoid paying the quit-rents due thereon, with a view of obtaining a re-grant of the same lands, be it enacted by the authority aforesaid, That, when any person or persons shall apply for a grant of any lands so surrendered, he, she, or they, shall first take the following oath, or, if a quaker, make the following solemn affirmation, before the governor or commander in chief for the time being, or such person as he shall appoint; *viz.*

Applicants must take, before the governor, or person by him appointed, the following

I, *A. B. do swear* (or, if a quaker, *do solemnly affirm*), *that the lands for which I now apply for a grant were not by me surrendered, nor is such grant to be taken in my name in trust for the person who surrendered the said lands, or in the name of any other at my instance, or any claiming by, through, or under him, her, or them. So help me God.*

Oath, before they obtain grants of surrendered lands.

VI. And be it enacted by the authority aforesaid, That the justices and vestry of each and every parish within this island shall, yearly and every year, within two months next from and after the day herein before appointed for giving-in accounts of the lands in each parish in this island, cause all such accounts of lands, given-in before them, to be fairly transcribed

Accounts of givings-in to be transcribed in two months after received, and a copy sent to receiv-

receiver-general in one month more.

ſcribed in a book to be provided and kept for that purpoſe; a copy of which tranſcript, atteſted under the hands of two of the juſtices of the peace of ſuch pariſh, ſhall be by the juſtices and veſtry of the ſaid pariſh tranſmitted to the receiver-general's office, within one month next from and after the time herein-before limited for tranſcribing the ſaid accounts into a book.

Perſons neglecting to give-in, to be aſſeſſed, according to the beſt judgment that can be formed.

VII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons, liable to the payment of quit-rents, their agent or agents, overſeer or overſeers, ſhall not appear and give-in an account, on oath, to the juſtices and veſtry, at ſuch time as herein-before is directed, that then, and in ſuch caſe, it ſhall and may be lawful to and for the ſaid juſtices and veſtry to tax or aſſeſs ſuch perſon or perſons ſo neglecting or refuſing to give-in an account as aforeſaid, by themſelves, their agents or overſeers, according to their beſt knowledge, or from the beſt information they may receive of the quantity of land in his, her, or their poſſeſſion, in ſuch pariſh: Provided nevertheleſs, and be it enacted by the authority aforeſaid, That in caſe, upon due proof before the juſtices and veſtry in any pariſh or precinct in this iſland, it ſhall at any time appear that any ſuch default, neglect, or refuſal, in not giving-in as laſt mentioned, ſhall have happened by the wilful neglect, omiſſion, or refuſal, of any ſuch agent or agents, overſeer or overſeers, and not through the fault of the principal party, conſtituent, owner, or employer, then, and in every ſuch caſe, the perſon or perſons actually guilty of ſuch wilful default, neglect, or refuſal, ſhall pay ſuch aſſeſſment, or, in default of paying the ſame, ſhall be liable to ſuch diſtreſs or penalties as herein is or are provided or enacted with reſpect to the principal party, conſtituent, owner, or employer; any thing herein contained to the contrary thereof in anywiſe notwithſtanding: Provided, That in caſe no diſtreſs of ſuch agent or agents, overſeer or overſeers, can be found within ſuch pariſh or precinct reſpectively, then, and in ſuch caſe, and not otherwiſe, the goods, chattels, and ſlaves, of ſuch principal party, conſtituent, or employer, ſhall be liable to be diſtrained and ſold, in manner herein mentioned.

If omiſſion of giving-in is owing to agents, they muſt pay aſſeſſment,

or be diſtrained on for it;

but, if ſuch diſtreſs cannot be found, principal muſt pay.

Clerks of the veſtry, in thirty days after giving-in, to deliver a roll to the collecting conſtable, with a blank warrant,

which juſtices of peace are to ſign.

VIII. And be it further enacted by the authority aforeſaid, That the clerk of the veſtry in each and every pariſh within this iſland ſhall, yearly and every year, within thirty days next after the rendering and giving-in the ſeveral accounts of lands herein-before directed, make out a fair copy or roll of the particular quantities or parcels of acre or foot land ſo given-in, and alſo of the exact ſum and ſums of money that ſhall yearly and every year be due and payable for quit-rents thereupon, and ſhall annex thereto a warrant ready to be ſigned, under the hands and ſeals of any two or more of the juſtices of the peace of ſuch pariſh (who are hereby empowered and required, under the penalty of fifty pounds, immediately to ſign ſuch fair copy or roll), and ſhall deliver the ſame to the collecting conſtable of ſuch pariſh, to enable him to collect and gather in the ſeveral ſums aſſeſſed therein

therein: And every ſuch collecting conſtable, to whom ſuch roll and warrant ſhall be delivered, is hereby required to collect and gather in, from every perſon named therein, his, her, or their attorney, agent, guardian, or legal repreſentative, all ſuch ſum and ſums of money as he [*ſhe, or they, ſhall ſeverally ſtand charged with; and that ſuch collecting conſtable do account for all ſuch ſum and ſums of money as he*] ſhall have received, and pay the ſame into the hands of the receiver-general for the time being, within thirty days after ſuch roll and warrant have been delivered to him, retaining to himſelf one ſhilling in the pound, and no more: And, to remove all excuſes from the ſeveral collecting conſtables for not duly collecting the ſame, they, and each and every of them, are hereby empowered to diſtrain on all or any of the goods, chattels, or ſlaves, of ſuch perſon or perſons as ſhall refuſe to pay ſuch aſſeſſments as aforeſaid, and the diſtreſſes then and there found to ſell at public outcry, at the moſt public place in the pariſh where ſuch diſtreſs ſhall be made, returning the overplus, if any, to the owners thereof, after deducting one ſhilling in the pound, out of the ſale, for the trouble of ſuch collecting conſtable or conſtables: Provided nevertheleſs, and be it enacted by the authority aforeſaid, That ſuch ſale of goods, chattels, or ſlaves, by public outcry, ſhall not be deemed lawful, unleſs ſuch collecting conſtable or conſtables ſhall have firſt given five days notice of ſuch intended ſale, by an account of the goods, chattels, or ſlaves, ſo diſtrained, and the marks upon ſuch ſlaves or chattels, if any there be, as alſo the hour of the intended ſale, in a paper to be by ſuch collecting conſtable or conſtables fixed up in the moſt noted and public place in the pariſh: Provided alſo, and be it enacted by the authority aforeſaid, That ſlaves ſhall in no caſe be diſtrained on by ſuch collecting conſtable or conſtables, where any other diſtreſs can or may be had; any thing in this act contained to the contrary hereof in anywiſe notwithſtanding.

Collecting conſtables to collect monies,

and pay them to receiver-general in thirty days, retaining five *per cent.*

Collecting conſtables empowered to diſtrain, and ſell ſuch diſtreſs;

of which ſales he muſt give five days public notice.

Slaves not to be taken, if other diſtreſs can be had.

IX. And be it further enacted by the authority aforeſaid, That when a conſtable is appointed by the juſtices and veſtry of any pariſh in this iſland for collecting the poll-tax, ſuch collecting conſtable ſhall, before the poll-tax roll be delivered to him, enter into a bond to his majeſty, his heirs and ſucceſſors, with one or more ſufficient ſecurities (ſuch ſecurities being firſt approved of by the commiſſioners appointed for ſettling the public accounts, or any three of them, in caſe there ſhall be ſuch commiſſioners appointed, or otherwiſe by the ſaid juſtices and veſtry), for his collecting and paying the ſeveral ſums of money, in the ſaid quit-rent roll mentioned, into the hands of the receiver-general for the time being, reſerving to himſelf one ſhilling in the pound, as aforeſaid, and no more; which ſaid bond ſhall be, by the ſaid juſtices and veſtry of the ſaid pariſh, immediately afterwards tranſmitted to the receiver-general for the time being.

When conſtable appointed for collecting poll-tax, he muſt give ſecurity (to be approved by commiſſioners of accounts) for paying-in quit-rents.

X. And whereas there are very conſiderable ſums of money due to his majeſty, for arrears of quit-rents for lands holden in this iſland, which ought

to be forthwith collected and paid into the office of the receiver-general of this iſland, for the ſupport of the government thereof: Be it therefore enacted by the authority aforeſaid, That the receiver-general of this iſland do and ſhall, on or before the twenty-eighth day of February, in the year of our Lord one thouſand ſeven hundred and eighty-nine, under the penalty of five hundred pounds, make up an account, for each and every pariſh in this iſland, of the arrears of all quit-rents due to his majeſty to the thirty-firſt day of December, in the preſent year of our Lord one thouſand ſeven hundred and eighty-eight, ſpecifying the names of the perſons from whom ſuch ſums appear, from the books of his office, to be due, with the ſum ſo appearing to be due ſet oppoſite to each perſon's name; and immediately thereafter cauſe the ſame to be publiſhed and continued for one month in the Royal Gazette.

Receiver-general to make out a list of persons in arrear for quit-rents, with the sums they severally stand charged with, to be published in the Royal Gazette.

XI. And be it enacted by the authority aforeſaid, That it ſhall and may be lawful for any ſuch perſon or perſons, ſo in arrear for quit-rents, to enter into and give bond to our ſovereign lord the king, his heirs and ſucceſſors, with condition, thereunder written, for paying to the receiver-general of this iſland for the time being, or to his aſſigns, within twelve months from the date of ſuch bond, the full amount of the ſum of money ſet oppoſite to his, her, or their, name or names in the ſaid account ſo to be publiſhed, or ſuch ſum or ſums of money only as he, ſhe, or they, ſhall make appear to be juſtly due and owing from him, her, or them reſpectively, for quit-rents to the ſaid thirty-firſt day of December, one thouſand ſeven hundred and eighty-eight, together with intereſt from the date of ſuch bond, at the rate of ſix pounds *per centum per annum*; which bonds the receiver-general for the time being is hereby empowered and directed to receive in payment, and to give ſufficient receipts for the ſaid quit-rents to the obligor or obligors of ſuch bond or bonds; provided ſuch bond or bonds ſhall be entered into, and delivered to the receiver-general for the time being, on or before the twenty-eighth day of May, in the ſaid year of our Lord one thouſand ſeven hundred and eighty-nine, and not otherwiſe: But in caſe any ſuch perſon or perſons ſo in arrear for quit-rents ſhall, on or before the ſaid twenty-eighth day of May, one thouſand ſeven hundred and eighty-nine, pay, in caſh, into the hands of the receiver-general for the time being, the amount of the ſum of money ſet oppoſite to his, her, or their, name or names in the ſaid account ſo to be publiſhed, or ſuch ſum or ſums of money only as he, ſhe, or they, ſhall make appear to be juſtly due and owing from him, her, or them reſpectively, for quit-rents to the ſaid thirty-firſt day of December, one thouſand ſeven hundred and eighty-eight, then, and in ſuch caſe, ſuch perſon or perſons ſo paying in caſh as aforeſaid, and not otherwiſe, ſhall be intitled to and allowed, by the ſaid receiver-general, a diſcount or deduction of fifteen pounds *per centum* on the ſum ſo paid: And in caſe ſuch bond or bonds, herein before mentioned, ſhall not be paid on the days and times on which the ſame ſhall be conditioned to be paid, then the receiver-general for the time being is hereby empowered, directed, and

Persons in arrears for quit-rents may enter into bond for payment thereof within twelve months;

but such bonds must be given in a limited time.

Persons paying such arrears in cash, to be allowed fifteen *per cent.* discount.

If bonds become forfeit, they are to be proceeded

and required, to take and uſe ſuch ways and means, for the recovery thereof, as are directed to be taken in and by the ſaid act of the governor, council, and aſſembly, paſſed in the ſaid year of our Lord one thouſand ſeven hundred and eighty-three, reſpecting the bonds by the ſame act directed to be taken for quit-rents; which ſaid bonds, by this act directed to be taken, ſhall be intitled to the ſame benefit of priority, and every other benefit to which the bonds, by the ſaid recited act directed to be taken, are intitled.

on, and have priority, as directed by 24 *Geo.* III. *cap.* 11, *cl.* 8.

XII. And be it further enacted by the authority aforeſaid, That the receiver-general of this iſland for the time being do and ſhall, within thirty days from and after the ſaid twenty-eighth day of May, make up an account, for each and every pariſh within this iſland, for the arrears of all ſuch quit-rents to the ſaid thirty-firſt day of December, one thouſand ſeven hundred and eighty-eight, as ſhall not have been ſettled and paid in manner herein before mentioned, and tranſmit to the clerk of the veſtry, in each and every pariſh within the ſaid iſland, a copy of ſuch account of the arrears due from the pariſh of which he is clerk of the veſtry: And that the clerk of the veſtry in each ſuch pariſh ſhall, under the penalty of fifty pounds, within ten days after ſuch account ſhall have been ſo received by him, cauſe the ſame to be fairly tranſcribed in a book to be kept for that purpoſe, and make out a copy or roll of the account of arrears ſo tranſmitted him by the ſaid receiver-general, and ſhall annex thereto a warrant ready to be ſigned, under the hands and ſeals of any two or more of the juſtices of the peace of ſuch pariſh (who are hereby empowered and required, under the penalty of one hundred pounds, immediately to ſign the ſame), and to deliver the ſame to the collecting conſtable of ſuch pariſh, to enable him to collect and gather in the ſeveral ſums therein mentioned: And all and every ſuch collecting conſtable or conſtables, to whom ſuch roll and warrant ſhall be delivered, is and are hereby required to collect and gather in, from every perſon or perſons named therein, or his or their attorney or agent, guardian, or other legal repreſentative, all ſuch ſum or ſums of money as he ſhall have received [*he, ſhe, or they, ſhall ſeverally ſtand charged with*], without their being liable to any relief or deduction, on any pretence whatſoever, and to pay the ſame into the hands of the receiver-general for the time being, within thirty days after ſuch roll or warrant ſhall have been delivered to him or them, deducting thereout one ſhilling in the pound for his or their trouble in collecting the ſame, and no more: And, to remove all excuſes from ſuch collecting conſtable or conſtables for not duly collecting the ſame, they and each of them are hereby empowered and required to diſtrain on all or any of the goods, chattels, or ſlaves, of ſuch perſon or perſons as ſhall refuſe to pay the ſums contained in ſuch roll, as due from them reſpectively, and the diſtreſſes then and there found to ſell, in ſuch and the ſame manner, and under ſuch and the ſame reſtrictions, as he is herein before by this act empowered to ſell the diſtreſſes firſt herein before mentioned.

Receiver-general to transmit lists of persons in arrears for quit-rents to the several clerks of vestry;

who are, in ten days after receipt, to deliver attested copies of such lists of arrears to collecting constables.

Arrears to be collected by them, and paid to receiver-general in thirty days.

No relief or deduction to be allowed on arrears.

Arrears to be distrained for, in manner directed in *cl.* 8, for assessments.

XIII. And

Collecting constables for arrearage-rolls to be appointed by justices and vestry; and give security as directed in *cl. 2.*

XIII. And be it enacted by the authority aforesaid, That such collecting constable or constables, for the collecting the said arrearage-rolls, shall be appointed by the justices and vestry, in the same manner as such collecting constable or constables shall be appointed for collecting any other tax: And that, before such arrearage-roll shall be delivered to such collecting constable or constables, the justices and vestry are hereby required to take a bond, payable to his majesty, his heirs and successors, from each collecting constable, with one or more sufficient securities (such securities being first approved of by the commissioners appointed for settling the public accounts, or any three of them, in case there shall be such commissioners appointed, or otherwise by the said justices and vestry), for his collecting and paying such monies, as aforesaid, into the hands of the receiver-general for the time being, deducting thereout one shilling in the pound, and no more; which said bonds shall be, by the said justices and vestry of the said parish, immediately afterwards transmitted to the receiver-general for the time being.

Collecting constables made amenable to grand court, and they and their securities to be proceeded against as directed by 24 *Geo.* II. *cap.* 11, *cl.* 21.

XIV. And be it further enacted by the authority aforesaid, That all and every such collecting constable or constables, to whom any of the rolls mentioned in this act shall be delivered, shall be, and they and each and every of them is and are hereby made, amenable, in the same manner as for any other public tax, to the supreme court of judicature of this island, for any neglect in the execution thereof, or for non-payment of the monies, by them received, to the receiver-general for the time being; and the receiver-general for the time being is hereby empowered to take out a writ or writs of *venditioni exponas* against the body and goods of the security or securities of each and every such collecting constable or constables, as well as against the body and goods of each such collecting constable, and to proceed thereon in the same manner, for the recovery of all sum and sums of money which shall be unpaid by such collecting constable or constables, as is directed by the said act of the governor, council, and assembly, passed in the said year of our Lord one thousand seven hundred and eighty-three.

Punishment of persons swearing or affirming falsely.

XV. And be it enacted by the authority aforesaid, That any person or persons who shall have taken any of the oaths, or made such solemn affirmations, as is herein before directed, and shall be thereafter legally convicted, in his majesty's supreme court of judicature, or in either of the courts of assize within this island, of having wilfully, corruptly, or fraudulently, committed perjury in the taking such oath, or making such solemn affirmation, every such person or persons, so legally convicted as aforesaid, shall suffer such pains and penalties as persons guilty of wilful and corrupt perjury are, by a certain act of parliament passed in that part of Great-Britain called England, in the fifth year of the reign of queen Elizabeth, or by any law now in force in this island, liable to suffer.

XVI. And be it enacted by the authority aforesaid, That if any justice of the peace, clerk of the vestry, receiver-general, or collecting constable, shall

shall neglect or refuse his or their duty, pursuant to the true intent and meaning of this act, every such person so offending shall, for every such offence or neglect, for which no penalty is herein before inflicted, forfeit the sum of one hundred pounds; and that all and every the penalties incurred by this act shall be recovered, by action of debt, bill, plaint, or information, in the supreme court of judicature of this island, wherein no protection, wager of law, essoin, injunction, or imparlance, shall be granted or allowed, or *non vult ulterius prosequi* be entered; and one moiety of all the fines and forfeitures to be hereby incurred and recovered, as aforesaid, shall be to our soverign lord the king, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof, and the other moiety to him or them who shall sue for the same; any law, custom, or usage, to the contrary thereof in anywise notwithstanding.

Justices, &c. neglecting their duty, to forfeit 100*l.* for each offence.

Recovery and application of penalties.

CAP. XIII.

An act for the further raising and establisking the credit of this island; and for preventing vexatious suits at law, in consequence of the destruction of vouchers by the late hurricanes and fires.—[20th December, 1788.]

WHEREAS it would tend greatly towards obtaining indulgence from British creditors, after judgments obtained in this island upon open or settled accounts, if interest was by law allowed on their demands, after judgment obtained: May it therefore please your most excellent majesty, that it may be enacted, and be it enacted by the lieutenant-governor, council, and assembly, of this your majesty's island of Jamaica, and it is hereby enacted by the authority of the same, That, from and after the passing of this act, whenever judgment shall be obtained upon an open or settled account of any person or persons resident in Great-Britain or Ireland, against any person or persons being an inhabitant or inhabitants of this island, interest, at and after the rate of five pounds for each one hundred pounds, by the year, shall be allowed from the first day of the court in which such judgment shall be obtained, on the principal sum for which such judgment is obtained, until the same be fully paid and satisfied; and that the plaintiff or plaintiffs in such judgment, his, her, or their attorney or attornies, executors, administrators, or assigns, shall be at liberty to mark and sign, or cause to be marked and signed, a levy upon all process to be thereon issued accordingly; any law, custom, or usage, to the contrary in anywise notwithstanding.

Preamble.

Interest at 5*l.* *per cent.* allowed British creditors, from the first day of the court in which judgment obtained.

II. And be it enacted by the authority aforesaid, That where the defendant or defendants, against whom such judgment or judgments shall be obtained, shall set up any defence, such defendant or defendants shall be chargeable

Defendants setting up defence, to pay costs of increase.

chargeable with coſts of increaſe, as heretofore, unleſs the judges, before whom the action ſhall be tried, ſhall ſee cauſe for diſallowing the ſame, and ſhall make order accordingly.

III. And whereas it hath frequently happened, that executors and adminiſtrators have pleaded the rule of executors, allowed to them by the ſupreme court of judicature, to actions brought againſt their teſtators or inteſtates eſtates, and have, of the ſame court, pleaded the general iſſue to others, and ſuffered the plaintiffs therein to proceed to judgment; whereby all ſuch creditors to whoſe ſuit ſuch rule has been pleaded, as aforeſaid, have been poſtponed in the payment of their demands, and ſuch other creditors who have been ſuffered to proceed to judgment, as aforeſaid, have been unduly preferred in the payment of the monies due to them, to the great prejudice of the former, and more particularly the Britiſh creditor, who either may not have any attorney here, or may not be able to ſend his account out in time to be put on a footing with the creditor in this iſland: Be it therefore enacted by the authority aforeſaid, That, from and after the paſſing of this act, all executions duly lodged for any judgments whatever, that may be taken againſt ſuch executor or adminiſtrator within the two next courts after pleading the ſaid rule, which it is hereby declared ſhall be pleaded generally againſt every creditor, ſhall be exactly on the ſame footing of priority as if the ſame had been taken together the firſt court.

Judgments on Britiſh debts put on the ſame footing with thoſe of this iſland.

IV. And whereas, in conſequence of five ſucceſſive hurricanes and two great fires, many receipts and vouchers for money paid, and defeaſances and other papers, have been deſtroyed; previous to which, through neglect or otherwiſe, ſatisfaction was omitted to be entered of record, in due form of law, upon judgments obtained, though they have been fully paid and ſatisfied: To the end, therefore, that all vexatious ſuits at law in relation thereto may be prevented, and that all dormant bills, bonds, judgments, and other ſecurities for money, whereon no payment hath been or ſhall be made, or which have not hitherto been or ſhall not be legally demanded, within twenty years from the time they reſpectively became, or ſhall become due, or from the laſt payment thereon, may become void, Be it further enacted by the authority aforeſaid, That, from and after the firſt day of January, which will be in the year of our Lord one thouſand ſeven hundred and eighty-nine, all bills, bonds, and mortgages whatſoever, and all judgments, and every other writing and writings obligatory whatſoever, which have already been or ſhall hereafter be given, made, or obtained, whereon no payment hath been or ſhall be made, or which have not been or ſhall not be legally demanded, within the ſpace of twenty years from the time they reſpectively became or ſhall become due, or from the laſt payment thereon, ſhall be, and the ſame and every of them are hereby declared to be, null and void, to all intents, conſtructions, and purpoſes whatſoever; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding;

Obligatory writings, &c. not demanded, or on which no payment has been made, for twenty years, declared void;

ing: Provided always, That the limitation herein before mentioned ſhall not extend, or be conſtrued to extend, to any perſon under the age of twenty-one years, women under coverture, or perſons of unſound memory: Provided alſo, That ſuch perſons under age, women under coverture, and perſons of unſound memory, ſhall bring their actions, to recover any ſuch aforementioned demands, within three years after ſuch perſon or perſons ſhall obtain the age of twenty-one years, women under coverture ſhall become ſole, or perſons of unſound memory ſhall become ſane.

except where persons are incapable;

who must bring their actions in three years after inability removed.

CAP. XIV.

An act for the more effectually preventing nuiſances on the highways.—[20th December, 1788.]

WHEREAS the laws now in force for preventing nuiſances on the highways, and for compelling the removal of ſuch as may accidentally ariſe on the roads leading into the ſeveral towns of this iſland, are inadequate to the purpoſes for which they were intended: May it therefore pleaſe your moſt excellent majeſty, that it may be enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That, from and after the paſſing of this act, if any perſon or perſons ſhall purpoſely lay, or cauſe to be laid, on any of the ſaid highways, or on any place within one hundred yards of the ſame, the carcaſe or carcaſes of any dead horſe, mare, mule, aſs, or horned beaſt, or ſhall wilfully convey to the ſaid highway any filth or other annoyance, whereby the lives or healths of his majeſty's ſubjects may be affected, every perſon or perſons ſo offending ſhall forfeit and pay the ſum of five pounds for every ſuch offence; to be recovered, by information upon oath, before any juſtice of the peace, in a ſummary way, in the pariſh where ſuch offence ſhall or may be committed; which ſaid penalty ſhall be paid over to the ſuperviſor of the workhouſe of ſuch pariſh; one moiety thereof ſhall be to the uſe of the overſeer of ſuch workhouſe, and the other moiety ſhall be to the uſe of ſuch workhouſe; any law, cuſtom, or uſage, to the contrary notwithſtanding.

Preamble.

Penalty of 5*l.* on persons laying nuisances on the highways, or within an hundred yards thereof.

Recovery and application of penalties.

II. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful for any perſon or perſons to apprehend, or cauſe to be apprehended and ſecured in the neareſt workhouſe, any negro or other ſlave who ſhall be detected in laying on any of the ſaid highways, or on any place within one hundred yards of the ſame, the carcaſe or carcaſes of any dead horſe, mare, mule, aſs, or horned beaſt, or in conveying to the ſaid highways any filth or other annoyance, whereby the lives or healths of his majeſty's ſubjects may be affected; and on information being made, on oath, before any one of his majeſty's juſtices of the peace, that the negroes ſo apprehended

Slaves laying nuisances on highways, &c. to be apprehended, and detained in the workhouse till the penalty is paid.

prehended and ſecured were guilty of ſuch offence, it ſhall and may be lawful for ſuch juſtice, and he is hereby required, to iſſue his warrant to the overſeer or ſuperviſor of the workhouſe in which they are ſecured, authorizing and directing him to detain all ſuch negro or other ſlaves until the maſter, owner, poſſeſſor, or employer, ſhall pay the ſaid ſum of five pounds, together with coſts attending ſuch complaint, not exceeding ten ſhillings, and the workhouſe fees.

Overſeers of workhouſes to remove dead carcaſes, if found within three miles of a town, under penalty of 5*l*.

III. And, in order to compel the ſpeedy removal of ſuch nuiſances as may accidentally ariſe on the roads leading into the ſeveral towns of this iſland, be it further enacted by the authority aforeſaid, That, on information being ſent, in writing, to the overſeer of the workhouſe in either of the ſaid towns, of any dead carcaſe or carcaſes being found on any of the public roads leading into ſuch town, and within three miles thereof, the ſaid overſeer is hereby required forthwith to repair to the ſpot where ſuch dead carcaſe or carcaſes may be ſo found, together with the negroes employed in ſuch workhouſe, or a ſufficient number thereof, and cauſe ſuch carcaſe or carcaſes either to be burnt to aſhes, or to be buried four feet at the leaſt under the ſurface of the earth, and at the diſtance of one hundred yards at the leaſt from ſuch road, under the penalty of five pounds; to be recovered in the ſame manner as is herein before directed; one moiety whereof ſhall be paid to the informer, and the other moiety ſhall be paid to the churchwardens of the pariſh, for the uſe of the poor of ſuch pariſh.

CAP. XV.

An act to explain and amend an act entitled, "An act for the more effectual prevention of ſmuggling; and for the better collecting certain duties and impoſts granted by the laws of this iſland, towards the ſupport of the government thereof."—[20th December, 1788.]

28 Geo. III. cap. 15.

Recital of *part of clauſe 6 of the above act.*

WHEREAS by an act entitled, *An act for the more effectual prevention of ſmuggling; and for the better collecting certain duties and impoſts granted by the laws of this iſland, towards the ſupport of the government thereof*, it is enacted and declared, That in all caſes where information is given, on the oath of the collector, comptroller, or other officer of his majeſty's cuſtoms, or on the oath of the naval officer, receiver-general, or either of their lawful deputies, of ſmuggled goods being concealed, lodged, or ſecured, or ſuſpected ſo to be, in any houſe, ſtore, or other place whatſoever, and that the party or parties having the care or cuſtody thereof cannot immediately be found, or, on being ſo found, doth refuſe to open and permit the ſame to be ſearched, by any perſons authorized

to

to make ſeizures demanding the ſame, it ſhall and may be lawful for any judge of the ſupreme court, or any two magiſtrates, on application being made to him or them, and he and they are hereby authorized and required, under the penalty of two hundred pounds, immediately on ſuch application being made, to grant a writ or writs of aſſiſtance, for the entering and ſearching ſuch ſuſpected place or places: And whereas, at many of the creeks and bays of this iſland where ſmuggled goods are landed, concealed, lodged, or ſecured, application cannot eaſily be made to a judge of the ſupreme court, or to two magiſtrates, for ſuch writ or writs of aſſiſtance: May it pleaſe your moſt excellent majeſty that it may be enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That, from and after the paſſing of this act, it ſhall and may be lawful for any one magiſtrate, on ſuch application being made to him, under ſuch circumſtances as aforeſaid, and he is hereby authorized and required, under the penalty aforeſaid, to grant ſuch writ or writs of aſſiſtance; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding.

Writs of aſſiſtance to be granted by one magiſtrate,

II. And be it further enacted by the authority aforeſaid, That in all caſes where a poſitive oath is made, by one or more credible witneſſes, that ſmuggled goods are concealed, lodged, or ſecured, in any houſe, ſtore, or other place whatſoever, it ſhall and may be lawful for any one of his majeſty's juſtices of the peace in this iſland, and he is hereby authorized and required, under the penalty of two hundred pounds, on application being made to him by any ſuch officer or officers as aforeſaid, or any of their lawful deputies, to iſſue ſuch writ or writs of aſſiſtance, without requiring that the party or parties having the care or cuſtody of ſuch ſmuggled goods ſhall previouſly have had notice thereof: Provided always, and it is hereby declared, That ſuch laſt-mentioned writ or writs of aſſiſtance ſhall be executed in the day-time only: And provided alſo, That if the information, whereupon ſuch writ or writs of aſſiſtance ſhall be iſſued, ſhall prove to be falſe, that then, and in ſuch caſe, the party injured ſhall recover his full damages and coſts out of purſe, againſt the ſaid officer applying for ſuch writ or writs of aſſiſtance, by action of treſpaſs to be therefore brought againſt ſuch officer.

and without his requiring that the parties ſhall have had previous notice, under penalty of 200*l.*

Writs to be executed in the day-time only.

Redreſs may be had, if information falſe.

CAP. XVI.

An act for the more effectually aſcertaining and collecting the tranſient tax of the town of Montego-Bay, in the pariſh of St. James.—[20th December, 1788.]

REPEALED.

CAP. XVII.

An act to appoint commiſſioners to inſpect the books of the receiver-general, and to ſettle and adjuſt the public accounts.—[20th December, 1788.]

EXPIRED.

CAP. XVIII.

An act to repeal an act entitled, "An act to restrain the inhabitants of the parish of Westmorland, in the county of Cornwall, in this island, from working any carriages of burthen, but with broad wheels, on the roads in the said parish;" and to restrain the inhabitants of the said parish from working any carriages of burthen, on the roads in the said parish, with wheels of any other dimensions than those herein prescribed.—[20th December, 1788.]

Preamble.

WHEREAS an act of the governor, council, and assembly of this island, entitled, *An act to restrain the inhabitants of the parish of Westmorland, in the county of Cornwall, in this island, from working any carriages of burthen, but with broad wheels, on the roads in the said parish*, passed in the year of our Lord one thousand seven hundred and seventy-four, hath not had the good effect, nor answered the good and salutary purposes for which it was intended: May it therefore please your most excellent majesty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and assembly, of this your majesty's island of Jamaica, and it is hereby enacted and ordained by the authority of the same, That the said act, and every clause, matter, and thing, therein contained, be, and the same is hereby, annulled, repealed, and made void, to all intents and purposes; any thing in the said act contained to the contrary in anywise notwithstanding.

Repeal of recited act.

II. And be it further enacted by the authority aforesaid, That, from and after the first day of June, which will be in the year of our Lord one thousand seven hundred and eighty-nine, no wain, cart, waggon, or other carriage, for carrying of sugar, rum, or other goods, a cart with not more than two mules or horses only excepted, shall be allowed to work, pass, or re-pass, in or upon any of the highways of the said parish, unless the wheels of such wain, cart, waggon, or other carriage, shall be at least seven inches broad in the fellies of the said wheels, with a reasonable allowance for wear; save and except the roads in the said parish lying to the eastward of a place in the said parish called the Cave, and to the northward of Dean's Valley, and to the westward of Springfield and Negril Spots: And in case any such wain, cart, waggon, or other carriage, shall, after the time above mentioned, be found working, passing, or re-passing on the said highways, save and except as aforesaid, with wheels of lesser breadth in the fellies than seven inches, reasonable allowance being made for the wear, they shall be subject to a penalty of twenty shillings for every offence for each wheel; and for all

No wain, &c. allowed to pass, unless the wheels are seven inches broad in the fellies,

except in particular places.

If smaller than seven inches, 20*s.* to be forfeited,

all wheels of a leſſer breadth than ſix inches, they ſhall be ſubject to a penalty of forty ſhillings for every wheel; which ſaid penalties ſhall be recovered, in a ſummary way, of the offenders goods and chattels, by warrant of diſtreſs from any magiſtrate of the ſaid pariſh, before whom oath ſhall be made of ſuch offence, and who is hereby empowered to adminiſter the ſame; and, the diſtreſs or diſtreſſes ſo made being expoſed to ſale, after deducting coſts and charges, the penalty recovered ſhall be paid into the hands of the churchwardens of the ſaid pariſh, to be laid out in the repairs of the highways of ſuch pariſh: Provided nevertheleſs, That any perſon or perſons may uſe, employ, or work, upon the ſaid highways, any waggon or other four-wheel carriages, for conveyance of goods as aforeſaid, the wheels whereof ſhall be ſix inches broad in the fellies, and the fore axle whereof ſhall be twelve inches ſhorter or twelve inches longer than the after axle-trees of ſuch waggon or other four-wheel carriages before mentioned; any thing in this act contained to the contrary notwithſtanding.

and if ſmaller than ſix, 40*s.* for each wheel.

Recovery and application of penalties.

Fellies of ſix inches may be uſed, if axles differ in length.

CAP. XIX.

An act for veſting in truſtees the toll or tolls to be raiſed by a turnpike or turnpikes on the bridge over the Rio-Bueno River; and for mending and keeping in repair the road leading from the town of Rio-Bueno, in the pariſh of Trelawny, to Dry-Harbour, in the pariſh of St. Ann; and for other purpoſes.—[20th December, 1788.]

OBSOLETE.

CAP. XX.

An act to explain and amend an act entitled, "An act to regulate wharfage and ſtoreage," ſo far as the ſaid act relates to the pariſhes of Trelawny and St. James.

[20th December, 1788.]

Preamble.

WHEREAS the rates of wharfage and ſtoreage, as ſettled by an act of the lieutenant-governor, council, and aſſembly, of this iſland, paſſed in the year of our Lord one thouſand ſeven hundred and eighty-four, entitled, *An act to regulate wharfage and ſtoreage*, have, ſo far as the ſame related to the towns and pariſhes of Trelawny and St. James, been found inadequate to the expences of carrying on the wharfage buſineſs in the ſaid pariſhes, and keeping wharves and ſtores in proper repair for that purpoſe: And whereas the planters, merchants, and factors, in the ſaid towns and the neighbourhood thereof, are ſo well convinced thereof, that the greateſt number of them allow their wharfingers to make higher charges than are allowed to be made by the ſaid act; but as others do not, and executors, adminiſtrators, and truſtees, cannot, allow the ſame, many diſputes, detrimental to trade in general, have ariſen between the wharfingers and the importers, ſhippers, or receivers, of goods, as alſo between the planters, factors, and merchants, ſhipping the ſtaple commodi-

25 *Geo.* III. *cap.* 51.

ties

ties or produce of this iſland: For remedy whereof, We, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of Jamaica, moſt humbly beſeech your majeſty that it may be enacted, and be it enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That, from and after the paſſing of this act, the rates of wharfage and ſtoreage, in the towns of Montego-Bay, in the pariſh of St. James, and Martha-Brae-Point, in the pariſh of Trelawny, for the ſeveral articles herein-after mentioned, ſhall be as follows; *viz.* For landing and piling every one thouſand feet of lumber, including ſtaves and heading, ten ſhillings; for ſhipping ditto, five ſhillings; for landing every one thouſand of cypreſs ſhingles, looſe, five ſhillings; ditto, packed, two ſhillings and ſix pence; for ſhipping every one thouſand of cypreſs ſhingles, looſe, two ſhillings and ſix pence; for ſhipping ditto, packed, one ſhilling and three pence; for landing every one thouſand of common ſhingles, looſe, three ſhillings and nine pence; ditto, packed, one ſhilling and ten pence halfpenny; for landing every tierce of rice, corn, or other grain, one ſhilling and three pence; for ſhipping ditto, ſeven pence halfpenny; for landing every one thouſand bricks and tiles, and piling the ſame, ſeven ſhillings and ſix pence; for landing, weighing, counting, and ſtoreing, every ton of Nicaragua wood, ten ſhillings; for ſhipping ditto, five ſhillings; for landing every hogſhead of ſalt-fiſh, coals, or lime, two ſhillings and ſix pence; for every tierce of bottled liquor, two ſhillings and ſix pence; for landing every barrel of beef, pork, or flour, ſeven pence halfpenny; for landing, ſtowing, and gauging, every pipe of wine, five ſhillings; any thing in the ſaid recited act contained to the contrary thereof in anywiſe notwithſtanding: And, for all other articles whatſoever, the rates of wharfage in the ſaid towns ſhall be as expreſſed in the ſchedule annexed to the ſaid recited act.

Variation, for Montego-Bay and Martha-Brae-Point, of the rates eſtabliſhed for ſundry articles by the above act.

Other articles to remain as thereby ſettled.

II. And be it further enacted by the authority aforeſaid, That all packages of dry goods, proviſions, bottled and caſk liquors (rum excepted), landed on any wharf in the ſaid towns of Montego-Bay and Martha-Brae-Point, and not taken away by the owner, or the perſon or perſons to whom the ſame ſhall be landed, in the ſpace of three months after ſuch landing as aforeſaid, the wharfinger ſhall be intitled to aſk, demand, and receive, for all ſuch goods ſo ſtored and lying over, double the wharfage, and, for every month thereafter, at the rate of one half wharfage, ſo long as the ſaid goods ſhall remain upon the wharf ſo ſtored and houſed.

Certain articles, if not taken away in three months, to pay double wharfage, and half wharfage every month after.

III. And be it further enacted, by the authority aforeſaid, That, for all lumber, logwood, fuſtick, and other dying woods, ebony, mahogany, and hard timbers, coals, bricks, and tiles, landed on any wharf in the ſaid towns of Montego-Bay and Martha-Brae-Point, and not taken away by the owner, or the perſon or perſons to whom the ſame ſhall be landed, in the ſpace of three months after ſuch landing as aforeſaid, the wharfinger ſhall

Others, if not taken away within the like period, to pay one fourth of the wharfage for

shall be intitled to ask, demand, and receive, one fourth part of the said wharfage, and, for every month thereafter, at the like rate, so long as the same shall remain on such wharf. every month after.

IV. And be it further enacted by the authority aforesaid, That each and every wharfinger or wharfingers in the said towns of Montego-Bay and Martha-Brae-Point shall be, and he and they is and are hereby, obliged, within three months after the passing of this act, to affix, and constantly keep up in view, in some public place under cover from the weather, at or near the weigh-house, or place of weighing goods, on his or their wharf or wharves, an exact list of the rates of wharfage and storeage, as appointed by this act, properly digested in an alphabetical manner, under the penalty of forty shillings for each and every day's neglect and delay in affixing and keeping up the same. Lists of the above rates to be kept constantly in view at the weigh-house, under penalty of 40s. for every day's neglect.

V. And be it further enacted by the authority aforesaid, That if any wharfinger or wharfingers, or any person or persons acting for or under him or them, shall presume to ask, demand and receive, or take, any greater or larger prices or rates than those herein-before mentioned, for shipping, receiving, storeing, skidding, weighing, gauging, and properly securing, the goods, wares, and merchandises, delivered at his or their wharf or wharves, [*he or they*] shall, for every such offence, forfeit the sum of one hundred pounds. Penalty of 100*l.* on extortion.

VI. And be it further enacted by the authority aforesaid, That the several penalties and forfeitures in this act mentioned shall, if not exceeding ten pounds, be recovered, in a summary manner, before any one of his majesty's justices of the peace in the parish or precinct where the offence shall be committed; which said justice is hereby empowered, authorized, and required, to commit such offender or offenders to gaol, there to remain, without bail or mainprise, until he or they shall have paid the same: And all penalties and forfeitures, exceeding ten pounds, shall be recovered in the supreme court of judicature or in the court of assize for the county of Cornwall, by action of debt, bill, plaint, or information, wherein no essoin, protection, or wager of law, shall be allowed, or *non vult ulterius prosequi* entered; any thing herein contained to the contrary in anywise notwithstanding. Recovery of penalties;

VII. And be it further enacted by the authority aforesaid, That all penalties and forfeitures in this act mentioned shall be to the informer, or him, her, or them, who shall sue for the same. which are to go to the informer.

CAP. XXI.

An act for appointing Stephen Fuller, esquire, an agent in Great-Britain, to solicit the passing of laws, and for transacting in Great-Britain other public affairs of this island; and for empowering certain members of the council EXPIRED.

council and assembly, from time to time, as occasion shall require, to give instructions for such his management.—[6th December, 1788.]

CAP. XXII.

An act to repeal part of an act, passed in the year of our Lord one thousand seven hundred and twenty-three, entitled, "An act for dividing the parish of Westmorland into two distinct parishes, for the ease of the inhabitants," and also the first clause of one other act, passed in the year of our Lord one thousand seven hundred and thirty-three, entitled, "An act for running, cutting, and clearing, the dividing lines, and cutting of roads, in and between the parishes of Westmorland and Hanover; and for repairing a bridge over Cabaritta-River, in the said parish of Westmorland;" and for ascertaining and fixing the proper dividing lines between the parishes of Westmorland and Hanover.—[20th December, 1788.]

Preamble.

10 *Geo.* I. *cap.* 5.

6 *Geo.* II. *cap.* 9.

WHEREAS an act of the governor, council, and assembly of this island, passed in the year of our Lord one thousand seven hundred and twenty-three, entitled, *An act for dividing the parish of Westmorland into two distinct parishes, for the ease of the inhabitants*, and the first clause of one other act, passed in the year of our Lord one thousand seven hundred and thirty-three, entitled, *An act for running, cutting, and clearing, the dividing lines, and cutting of roads, in and between the parishes of Westmorland and Hanover; and for repairing a bridge over Cabaritta-River, in the said parish of Westmorland*, have not fully answered the several purposes for which they were originally intended, disputes having of late arisen between the inhabitants of both the said parishes, touching and concerning the dividing line or boundaries between the said parishes; the inhabitants of the parish of Westmorland having of late claimed many estates and settlements to be within the limits of the said parish, and to be subject and liable to be taxed within the same, which estates and settlements have, for upwards of sixty years past, been considered, deemed, and taken, as part of the parish of Hanover, and as such have been from time to time assessed by the different vestries of the said parish of Hanover: And whereas it is highly necessary, and will greatly tend to the ease and security of the inhabitants of both the said parishes, and prevent future litigation, that the dividing lines or boundaries between them should be fixed

and

and aſcertained, ſo that hereafter no diſputes may ariſe between the inhabitants of the ſaid two pariſhes concerning the dividing lines or boundaries thereof: Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That ſo much and ſuch part of the ſaid act, paſſed in the year of our Lord one thouſand ſeven hundred and twenty-three, as reſpects and directs the dividing line between the ſaid pariſhes to be carried in manner therein mentioned, and alſo the firſt clauſe of the ſaid recited act, paſſed in the year of our Lord one thouſand ſeven hundred and thirty-three, and every matter and thing therein contained, ſhall be and ſtand repealed, annulled, and made void, to all intents and purpoſes whatſoever.

Repeal of parts of the above acts.

II. And be it further enacted by the authority aforeſaid, That the line deſcribed in the plan or diagram hereunto annexed*, beginning at the letter A and continued to the letter B, and from thence to the letter C, in the ſaid plan or diagram mentioned and laid down, and to continue eaſtwardly until it interſects the Great-River, ſo as to include the ſeveral plantations or ſugar-works called Rock-Spring, Newfound-River, Campbelton, Cave-Valley, Endeavour, Fiſh-River, Salem, and Orange-Bay, and the ſeveral ſettlements of Hyſlop's, M'Courtie's, Innes's, Patterſon's, Hudſon's, and Knock-Alva, all which plantations and ſettlements, from the time they were reſpectively firſt ſettled, have continually been conſidered, deemed, and taken, as part of the pariſh of Hanover, and have accordingly been aſſeſſed by the different veſtries from time to time holden within the ſaid pariſh of Hanover; and which line, to be continued from the ſaid letter C until it interſects the Great-River aforeſaid, ſhall be ſo run and laid out as to include all other ſettlements that have hitherto been conſidered, deemed, and taken, to be within the limits of the ſaid pariſh of Hanover, and as have been from time to time aſſeſſed by the veſtries thereof.

* *To be ſeen in the ſecretary's office.*

Dividing line between the pariſhes of Weſtmorland and Hanover aſcertained.

III. And be it further enacted, That the juſtices and veſtry of the ſaid pariſhes of Weſtmorland and Hanover ſhall, within ſixty days after the paſſing of this act, appoint each one ſworn ſurveyor for the running out, aſcertaining, and fixing, the ſaid line, in manner aforeſaid herein before directed to be run out, aſcertained, and fixed, according to the intent and meaning of this act: And ſuch ſurveyor ſhall, within thirty days from and after they ſhall reſpectively be appointed as aforeſaid, proceed to the running out, fixing, aſcertaining, and completing, the ſaid line; and in caſe either of the ſaid two ſurveyors, ſo to be appointed as aforeſaid, ſhall neglect or refuſe to proceed to the running out, completing, and finiſhing, the ſaid line, in manner herein before directed to be run and aſcertained as aforeſaid, within the ſaid thirty days after ſuch appointment as aforeſaid, each or either of the ſaid two ſurveyors, ſo to be appointed as aforeſaid, neglecting or refuſing to proceed to the running out, completing, and finiſhing,

Surveyors to be appointed by the juſtices and veſtry of each pariſh, to run the dividing line; who are to finiſh it in thirty days, under penalty of 100*l.*

Line to have distinguishing marks, and be for ever considered the boundary.

niſhing, the ſaid line within the time aforeſaid, ſhall, for ſuch neglect or refuſal forfeit the ſum of one hundred pounds current money; and which line, when run out and aſcertained, ſhall be marked by the ſaid ſurveyors, or one of them, with diſtinguiſhing marks, and ſhall for ever hereafter be deemed and taken as the boundary or dividing line between the ſaid two pariſhes; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Surveyors, in sixty days after line run, under like penalty, to make out a diagram to be recorded.

IV. And be it further enacted by the authority aforeſaid, That the ſurveyors ſo to be appointed as aforeſaid, or one of them, ſhall, under the penalty of one hundred pounds, within ſixty days after the ſaid line ſhall be run out, aſcertained, and completed, according to the directions herein before contained, make out a plan, diagram, or return, of the ſaid line, to the juſtices and veſtry of the ſaid pariſhes of Weſtmorland and Hanover, who ſhall cauſe the ſame to be recorded in the ſecretary's office of this iſland.

Surveyors to be paid by the justices and vestry of both parishes;

V. And be it enacted, That the ſaid ſurveyors, ſo to be appointed as aforeſaid, ſhall be paid, by the juſtices and veſtry of the ſaid two reſpective pariſhes, ſuch ſum and ſums of money, for the work and labour to be by them done in the running out and aſcertaining the ſaid line, in manner aforeſaid directed to be run and aſcertained, and in preparing a diagram or return thereof, purſuant to this act, as the ſaid juſtices and veſtry ſhall previouſly contract and agree with ſuch ſurveyors for the doing thereof.

who are to cause the return of the surveyors to be recorded by the clerk of the peace of each parish.

VI. And be it further enacted by the authority aforeſaid, That the ſaid juſtices and veſtry, having received the return of the ſaid ſurveyors as aforeſaid, ſhall cauſe two copies thereof to be fairly made out, and ſhall cauſe one of the ſaid copies to be forthwith recorded by the clerk of the peace of each of the ſaid pariſhes: And all coſts and expences, to attend the carrying into execution this act, ſhall be equally borne and defrayed by the ſaid pariſhes reſpectively.

If justices and vestry neglect duties herein required, they forfeit 20*l.* each.

VII. And be it enacted by the authority aforeſaid, That in caſe the juſtices and veſtries of either of the ſaid two pariſhes of Weſtmorland and Hanover ſhall refuſe, neglect, or decline, to meet and proceed to the choice and appointment of ſuch two ſurveyors as aforeſaid, within the time limited for that purpoſe by this act, or ſhall refuſe, neglect, or decline, to comply with any of the duties required of them by this act, every juſtice and veſtryman ſo neglecting or refuſing ſhall, for every ſuch offence, forfeit the ſum of twenty pounds current money.

Forfeitures how to be recovered and applied.

VIII. And be it further enacted by the authority aforeſaid, That all forfeitures in this act contained ſhall be recovered, by action of debt, bill, plaint, or information, in any court of record in this iſland, wherein no eſſoin, protection, or wager of law, ſhall be allowed, or *non vult ulterius proſequi* be entered, any law, cuſtom, or uſage, to the contrary notwithſtanding;

ſtanding; one moiety whereof ſhall be to the uſe of the perſon or perſons who ſhall ſue for the ſame, and the other to the uſe of the poor of the pariſh where ſuch juſtice and veſtryman offending againſt this act ſhall live or reſide.

CAP. XXIII.

An act to reſtrain the inhabitants of the parish of St. James, in the county of Cornwall, in this island, from working any carriages of burthen, but with broad wheels, on the roads in the said parish.—[20th December, 1788.]

Preamble.

WHEREAS the highways are often rendered very dangerous, and ſometimes impaſſable, through all the roads leading to and from the different eſtates in the pariſh of St. James, occaſioned chiefly by the working of heavy carriages with narrow wheels upon the ſaid highways: We, your majeſty's dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this iſland, and it is hereby enacted and ordained by the authority of the ſame, That, from and after the firſt day of March, which will be in the year of our Lord one thouſand ſeven hundred and ninety, no wain, cart, waggon, or other carriage, for carrying of ſugar, rum, or any other goods (a mule-cart only excepted), ſhall be allowed to work, paſs, or repaſs, in or upon any of the highways of the ſaid pariſh (except to the eaſtward of Montego-Bay to the line of Trelawny, along the ſea-ſhore, and all thoſe eſtates in that diſtrict within four miles of the ſea-ſide), unleſs the wheels of ſuch wain, cart, waggon, or other carriage, ſhall be at leaſt ſix inches broad in the fellies of the ſaid wheels, with a reaſonable allowance for wear: And in caſe any ſuch wain, cart, waggon, or other carriage, ſhall, after the time above mentioned, be found working, paſſing, or repaſſing, on the ſaid highways, with wheels of a leſſer breadth in the fellies than what are hereby preſcribed as aforeſaid, it ſhall and may be lawful to and for any perſon or perſons whatſoever, and they are hereby authorized and empowered, to cauſe the ſame to be ſtopped, ſeized, taken, and detained; and, upon proof made on oath of ſuch offence, before any of the juſtices of the peace of the ſaid pariſh, ſuch juſtice ſhall condemn the ſaid wain, cart, waggon, or other carriage, to be ſold; and the monies ariſing therefrom ſhall be paid to the churchwarden or churchwardens of the ſaid pariſh, to be laid out in the repairs of the highways of the ſaid pariſh; which ſaid oath ſuch juſtice is hereby authorized and empowered to adminiſter.

No wain, &c. allowed to pass, unless the wheels are six inches broad in the fellies,

except in particular situations.

Carriages with narrower wheels may be seized and sold.

Proceeds to be applied to repair of the roads.

CAP. XXIV.

EXPIRED. *An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.*—[20th December, 1788.]

CAP. XXV.

EXPIRED. *An act for the more ſpeedy collection of the public taxes, and the arrears thereof now due.*—[20th December, 1788.]

Anno regni Georgii tertii triceſimo.

CAP. I.

REPEALED. *An act to empower the governor, lieutenant-governor, or commander in chief of this iſland, to iſſue writs for the choice of members to ſerve in the aſſembly of the ſaid iſland, in the room of ſuch members who ſhall die during the receſs of the aſſembly.*—[20th November, 1789.]

CAP. II.

An act to give a recompenſe to perſons that ſhall be unjuſtly vexed by writs of replevin.—[20th November, 1789.]

Preamble. WHEREAS the right, title, and intereſt, to negro and other ſlaves, and to horſes, mules, aſſes, and neat cattle, or other goods and chattels, have been, and now are, tried in the ſupreme court of judicature, and in the ſeveral courts of aſſize, upon writs of replevin: And whereas, by the uſage of this iſland, ſuch negro and other ſlaves, and ſuch horſes, mules, aſſes, and neat cattle, and other goods and chattels, are produced at all trials upon ſuch writs of replevin concerning them; which uſage, by long experience, hath been found uſeful, by reaſon that the parties for whom judgments have paſſed at ſuch trials, have had an immediate benefit of the ſame, by a delivery of the thing contended for: And whereas many plaintiffs in ſuch writs of replevin, by iſſuing ſuch writs and further proceſs thereupon, compel defendants to produce ſuch negro and other ſlaves, and ſuch horſes, mules, aſſes, and neat cattle, and other goods and chattels,

chattels, at the ſaid reſpective courts, and, when the ſame are produced and kept there at a very great expence in money, beſides the loſs of the labour of them, the ſaid plaintiffs will not come to trial upon ſuch replevins, but continue their cauſes over from court to court, to the intolerable charge and damage of the defendant: And whereas defendants do, in like manner, when any of the aforementioned particulars are delivered to the plaintiff, according to the exigency of ſuch writs of replevin, avoid coming to a trial, under various pretences, whereby ſuch plaintiffs are put to the like expences, loſſes, charges, and damages: For remedying whereof, We, your majeſty's dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, do moſt humbly beſeech your majeſty that it may be enacted, and be it enacted by the lieutenant-governor, council, and aſſembly, of the ſaid iſland, and it is hereby enacted and ordained by the authority of the ſame, That whenever it ſhall happen that any negro or other ſlave, or any horſes, mules, aſſes, or neat cattle, or other goods and chattels, ſhall be produced by the plaintiffs or defendants in the ſaid ſupreme court of judicature, or courts of aſſize, in obedience to any writ of replevin, or to any ſubſequent proceſs grounded upon ſuch writ, or to any rule of the ſaid ſupreme court made thereon, or ſhall be in cuſtody of the provoſt-marſhal by virtue of the ſaid proceſs or orders, and the trial of ſuch writ of replevin ſhall be put off on the motion of ſuch plaintiffs or defendants, not having the cuſtody of ſuch negro or other ſlaves, or of the horſes, mules, aſſes, or neat cattle, or other goods and chattels, it ſhall and may be lawful for the ſaid ſupreme court of judicature, at the diſcretion of the ſaid court, according to the exigency of the caſe, to adjudge and award a reaſonable recompenſe to be made to the party injured, by the party putting off ſuch trial, for the expences and charges of bringing ſuch negro and other ſlaves, and ſuch horſes, mules, aſſes, and neat cattle, to the ſaid ſupreme court or courts of aſſize reſpectively, and of maintaining them there, and carrying them back to the place from whence they were brought, and all expences and charges attending the producing any goods or chattels at ſuch ſupreme court or courts of aſſize, and to compel the payment of the ſame by attachment, or by any other ſummary method which the ſaid ſupreme court ſhall think proper.

When trial in replevin for ſlaves, horſes, &c. put off at the inſtance of the perſon not having them in poſſeſſion, and they are produced, or in cuſtody, ſupreme court to award reaſonable recompenſe.

II. Provided always, and be it further enacted by the authority aforeſaid, That when any negro or other ſlave, or any horſes, mules, aſſes, or neat cattle, or other goods and chattels, ſhall be produced to the ſaid ſupreme court or courts of aſſize reſpectively, after an eloinment on the ſaid writ of replevin, or a *nulla bona* on a writ of *withernam*, or *non eſt inventus* on a writ of *capias in withernam*, ſhall be returned; in ſuch caſes, the party producing them ſhall not be intitled to the benefit of the recompenſe by this act herein before granted, in ſuch court or term wherein either of the ſaid returns ſhall be made, in caſe the plaintiffs ſhall not go to trial in ſuch court or term, or the ſubſequent courts of aſſize reſpectively: Pro-

If produced after an eloinment on writ of replevin, &c. returned,

vided

or if perſon not holding poſſeſſion give notice of trial ſix days before the court, and they are immediately produced, no recompenſe to be given.

bided alſo, That when any plaintiff or defendant in replevin, not having the cuſtody of the negro or other ſlaves, or of the horſes, mules, aſſes, or neat cattle, or other goods or chattels mentioned in ſuch replevin, ſhall give notice in writing to the party having the cuſtody of the ſame, ſix days before any ſupreme court or term, or courts of aſſize reſpectively, that he doth intend to come to trial on ſuch replevin in the ſame court or term, or courts of aſſize reſpectively, then, and in ſuch caſe, if ſuch plaintiff or defendant, having the cuſtody of ſuch negro or other ſlaves, or of ſuch horſes, mules, aſſes, or neat cattle, or other goods or chattels, ſhall produce them to the ſupreme court, or courts of aſſize reſpectively, immediately enſuing ſuch notice, ſuch plaintiff or defendant ſhall not be intitled to any recompenſe by this act granted and allowed for producing, maintaining, and carrying them back to and from the ſaid courts, or for producing any goods or chattels, in the ſaid court or term for which notice ſhall be given.

If ſlaves, &c. in cuſtody, provoſt-marſhal's fees to be paid by the party putting off the trial.

III. And be it further enacted by the authority aforeſaid, That when any negro or other ſlaves, or any horſes, mules, aſſes, or neat cattle, or other goods or chattels, ſhall be in cuſtody of the provoſt-marſhal upon any writ of replevin, or any ſubſequent proceſs or rule of court grounded thereon, and the trial of ſuch replevin ſhall be put off, the fees for detaining ſuch negro or other ſlave, and ſuch horſes, mules, aſſes, or neat cattle, or other goods or chattels, ſhall be paid by the party on whoſe motion ſuch trial ſhall be put off.

Supreme court to award recompenſe to defendants, where judgment ſhall paſs for them, or plaintiffs be non-ſuited.

IV. And be it further enacted by the authority aforeſaid, That on all trials on writs of replevin, wherein judgment ſhall paſs for the defendant, or the plaintiff ſhall become nonſuit, it ſhall and may be lawful for the ſupreme court of judicature, at the diſcretion of the ſaid court, according to the exigency of the caſe, to adjudge and award a reaſonable recompenſe to be paid by the plaintiff to the defendant, over and above the uſual coſts of ſuit, for the charges, expences, and loſſes, ſuch defendants ſhall ſuſtain, by reaſon of bringing and producing the negro or other ſlaves, horſes, mules, aſſes, or neat cattle, or other goods or chattels mentioned in the ſaid replevin, to the ſaid ſupreme court, and courts of aſſize reſpectively, and of maintaining and keeping them there, and of leading or carrying them back to the place from whence they were brought; and to compel the payment of the ſame by attachment, writ of execution, or other proceſs, or by any ſummary method which the ſaid ſupreme court ſhall think proper.

CAP. III.

REPEALED. *An act for licenſing hawkers and pedlars; and for applying the monies, to ariſe from granting ſuch licenſes, towards the ſupport and maintenance of the poor of the pariſhes where ſuch licenſes are granted.*—[20th November, 1789.]

CAP.

CAP. IV.

An act to explain and amend "An act for amending and keeping in repair the road leading from Pepper Plantation, in the parish of St. Elizabeth, to Savanna-la-Mar, in the parish of Westmorland; and for vesting in trustees the toll raised by a turnpike or turnpikes on the said road, for the purposes aforesaid;" and also for amending and keeping in repair the road leading from Savanna-la-Mar, in the parish of Westmorland, to Lucea and Green-Island, in the parish of Hanover; and for vesting in trustees the toll raised by a turnpike or turnpikes on the said road.—[20th November, 1789.] EXPIRED.

CAP. V.

An act for raising several sums of money, and applying the same to several uses.—[20th November, 1789.] EXPIRED.

CAP. VI.

An act for laying a duty on tonnage, and applying the same to the use of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of "An act for granting a revenue to his majesty, his heirs and successors, for the support of the government of this island; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchase gunpowder, under certain regulations.—[20th November, 1789.] EXPIRED.

CAP. VII.

An act for establishing and declaring rules and articles of war.—[20th November, 1789.] EXPIRED.

CAP. VIII.

An act to enable his honour Alured Clarke, esquire, lieutenant-governor and commander in chief of this island, or the governor or commander in chief for the time being, to issue his majesty's royal proclamation, during the recess of the present assembly, prohibiting the exportation of flour and other provisions from this island, for a limited time.—[20th November, 1789.] EXPIRED.

CAP. IX.

An act to secure to his majesty's troops, that now are or hereafter may be quartered in this island, for the protection thereof, to the number for which the faith of the country stands pledged, the subsistence they now receive, on certain conditions.—[19th December, 1789.]

WHEREAS his majesty's troops quartered in this island, for the protection thereof, receive the following subsistence: Seven pounds of good salt mess beef, or, in lieu thereof, five pounds of good salt mess pork; seven pounds of good flour; and one pint and three Preamble.

Rations of the troops.

three quarters of a pint of proof rum, not leſs than one year old for every non-commiſſioned officer, drummer, and private ſoldier: the like rations, excepting rum, for all widows of ſuch non-commiſſioned officer, drummer, and private ſoldier: two third parts of the like rations, excepting rum, for each wife of ſuch non-commiſſioned officer, drummer, and private ſoldier: and one half of the like rations, except rum, for each child of ſuch non-commiſſioned officer, drummer, and private ſoldier: iſſued and delivered the firſt day of every week, at the ſeveral quarters of the ſaid troops: and in two days of each week, one pound of good freſh beef for each day, in lieu of a ration of ſalt proviſion for ſuch day: And whereas, towards the payment of theſe rations, certain ſums are drawn quarterly from the money now in the hands of the agent-general, the property of government, at the following rates; *viz.* Two ſhillings and three pence for the rations delivered to the non-commiſſioned officers, drummers, and privates; one ſhilling and four pence halfpenny, for the widows; eighteen pence for the wives, and eight pence farthing for the children, of all ſuch non-commiſſioned officers, drummers, and privates: And whereas there was left in the hands of the agent-general, on the twenty-eighth day of Auguſt laſt, the ſum of twenty-four thouſand one hundred and forty-ſeven pounds eighteen ſhillings and five pence, bearing an intereſt of ſix pounds *per centum*, and the ſum of nine thouſand nine hundred and thirty-ſeven pounds ſeventeen ſhillings and three pence, not bearing intereſt, the property of government: May it therefore pleaſe your moſt excellent majeſty that it may be enacted, and it is hereby enacted by the lieutenant-governor, council, and aſſembly, of this iſland, That, from and after the expiration of the preſent contract (bearing date the nineteenth day of July, one thouſand ſeven hundred and eighty-eight, between the lieutenant-governor, on behalf of his majeſty, on the one part, and meſſieurs Donaldſons and Thomſon, of the other part) for the ſubſiſtence of his majeſty's troops, the above rations ſhall be ſupplied the firſt day of every week, to and for the ſubſiſtence of the troops now or hereafter to be quartered in this iſland, to the number for which the faith of the country ſtands pledged, by ſome perſon or perſons to be appointed for that purpoſe by the commiſſioners for ſettling the public accounts, and which ſaid perſon or perſons ſhall be intitled to receive the amount of ſuch rations from the receiver-general for the time being, out of any money to ariſe from any money-bills, paſſed or to be paſſed this ſeſſion, or to be paſſed in any future ſeſſion of the preſent or any future aſſembly: Provided, That, at the expiration of the preſent contract, the agent-general ſhall deliver over to the commiſſioners of accounts all ſuch certificates as ſhall then remain in his hands, the property of government, to be cancelled.

After the expiration of the present contract, the same rations to be supplied, by a person to be appointed by the commissioners of accounts, the first day of every week.

Agent-general to deliver over certificates, to be cancelled.

CAP. X.

REPEALED. *An act for eſtabliſhing, diſciplining, and regulating, the militia; for aſcertaining who ſhall compoſe future councils of war; and for other purpoſes reſpecting the ſaid militia.*—[19th December, 1789.]

CAP.

CAP. XI.

An act for repealing so much of an act of this island, passed in the year of our Lord one thousand seven hundred and eleven, entitled, "An act for regulating fees," as establishes the fees of the collector, naval officer, secretary, and receiver-general, for entering and clearing all vessels trading to and from this island; and for regulating the fees of the several officers concerned in entering and clearing all such vessels; and for making certain provisions for the better management of the offices therein mentioned.—[19th December, 1789.] EXPIRED.

CAP. XII.

An act to encourage the importation of horses from Great-Britain, by granting a purse to be run for in each county; and to allow a bounty on neat cattle imported into this island from England or Ireland.—[19th December, 1789.] EXPIRED.

CAP. XIII.

An act to prevent the burying the dead in the churches of this island; and to enable the justices and vestry of certain parishes to purchase lands for burial-grounds.

[19th December, 1789.]

WHEREAS the practice of burying the dead in the churches of this island, especially within the several towns, has been found dangerous to the health of the inhabitants: For prevention whereof in future, We, your majesty's dutiful and loyal subjects, the assembly of Jamaica, beseech your majesty that it may be enacted, and be it enacted by the lieutenant-governor, council, and assembly, of the island aforesaid, and it is hereby enacted by the authority of the same, That, from and after the first day of January, which will be in the year of our Lord one thousand seven hundred and ninety, if any rector, or other incumbent, of any parish or parishes of this island, shall permit or suffer any corpse or corpses, of any person or persons whatsoever, to be interred or buried in any church or chancel of such parishes, such rector or incumbent so offending shall forfeit and incur a penalty of five hundred pounds, for every such offence contrary to the true intent and meaning of this act. Preamble. No person to be buried in any church, under penalty of 500*l.* on the incumbent permitting it.

II. And be it further enacted by the authority aforesaid, That the justices, churchwardens, and vestrymen, for the parishes of St. Catherine, Kingston, St. James, and Westmorland, or such of the said parishes as are not already provided with sufficient burial-grounds, be, and are hereby, authorized, empowered, required, and directed, to purchase, at the expence of the aforesaid parishes respectively, a fit and convenient piece of land, contiguous or as near as possible to each of the towns of St. Jago de la Vega, Kingston, Montego-Bay, and Savanna-la-Mar, to be inclosed and reserved as a burying- Churchwardens, &c. of St. Catherine's, Kingston, St. James's, and Westmorland, to purchase lands for burial-grounds.

burying-ground for each of the aforeſaid towns reſpectively, in addition to the preſent church-yards.

III. And whereas it has been uſual to allow a conſideration to the rector, or other incumbent, for permiſſion to open the ground for the interment of the dead within the ſeveral churches of this iſland; and it is juſt and reaſonable that, while care is taken of the convenience and health of the community, individuals ſhould not ſuffer: Be it therefore further enacted, That the juſtices, churchwardens, and veſtrymen, of the ſeveral pariſhes of this iſland herein after mentioned, reſpectively be, and are hereby, authorized, empowered, required, and directed, on the day appointed for chooſing churchwardens and veſtrymen for the ſeveral pariſhes within this iſland reſpectively, or within thirty days thereafter, in lieu and compenſation thereof, annually to aſſeſs, and cauſe to be levied, an equivalent ſum, to be paid half-yearly in all times to come, in addition to and in the uſual manner as the annual ſtipend hitherto allowed to the rector of each pariſh reſpectively; that is to ſay, The pariſh of St. Catherine, the ſum of ſeventy pounds; the pariſh of Kingſton, the ſum of one hundred and ten pounds; the pariſh of Port-Royal, the ſum of thirty pounds; the pariſh of St. Andrew, the ſum of fifty pounds; the pariſh of St. Thomas in the Eaſt, the ſum of fifty pounds; the pariſh of Portland, the ſum of twenty pounds; the pariſh of St. Ann, the ſum of fifty pounds; the pariſh of St. James, the ſum of fifty pounds; the pariſh of Hanover, the ſum of fifty pounds; the pariſh of St. Elizabeth, the ſum of fifty pounds; the pariſh of Clarendon, the ſum of thirty pounds; the pariſh of St. Dorothy, the ſum of twenty pounds; the pariſh of Vere, the ſum of thirty pounds; and the pariſh of St. Thomas in the Vale, the ſum of thirty pounds.

Annual compenſation to be made to the rectors of certain pariſhes, in lieu of their fees for opening ground in churches.

IV. And be it further enacted by the authority aforeſaid, That every juſtice, churchwarden, and veſtryman, neglecting or refuſing to do his duty in the premiſes, ſhall, for every ſuch neglect or refuſal, forfeit the ſum of fifty pounds.

50*l.* penalty on churchwardens, *&c.* for neglect of duty.

V. And be it further enacted by the authority aforeſaid, That the compenſation of thirty pounds *per annum* ſhall be raiſed in like manner, and paid to the rector of every other pariſh in the iſland, as ſoon as a church ſhall be erected and finiſhed in ſuch pariſh.

30*l. per ann.* to be paid to other rectors, as ſoon as churches are built.

VI. And be it further enacted, That all penalties and forfeitures impoſed by this act ſhall be recovered in the ſupreme court of judicature, or in any of the courts of aſſize of this iſland, by bill, plaint, or information, wherein no eſſoin, protection, wager of law, injunction, or *non vult ulterius proſequi*, ſhall be granted or allowed; the one moiety thereof to be paid to the churchwardens, for the uſe of the pariſh where the offence is committed, the other moiety to the informer, or him, her, or them, who ſhall ſue for the ſame.

Penalties how to be recovered and applied.

VII. Provided

VII. Provided nevertheleſs, and be it enacted by the authority aforeſaid, That nothing in this act contained ſhall extend, or be conſtrued to extend, to prevent any perſon or perſons from erecting monuments to the memory of the dead, in manner as hath been heretofore accuſtomed. Monuments may be erected as heretofore.

CAP. XIV.

An act to explain and amend an act entitled, "An act for repealing certain clauses of 'An act for repealing an act entitled, "An act for the better discovering and collecting the arrears of his majesty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due;" and for the better discovering, ascertaining, and collecting, such arrears; and for the more effectual collecting the quit-rents hereafter to become due;' and for the more easy and effectual collecting, as well the arrears of his majesty's quit-rents, as the quit-rents hereafter to become due to his majesty."—[19th December, 1789.]

WHEREAS, in purſuance of an act of the lieutenant-governor, council, and aſſembly, of this iſland, paſſed in the year of our Lord one thouſand ſeven hundred and eighty-eight, entitled, *An act for repealing certain clauſes of "An act for repealing an act entitled, 'An act for the better diſcovering and collecting the arrears of his majeſty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due;' and for the better diſcovering, aſcertaining, and collecting, ſuch arrears; and for the more effectual collecting the quit-rents hereafter to become due;" and for the more eaſy and effectual collecting, as well the arrears of his majeſty's quit-rents, as the quit-rents hereafter to become due to his majeſty*, many perſons who had given-in accounts of their lands within the time limited by the ſaid act, and, according to the true intent and meaning thereof, offered and were ready to pay, to the receiver-general of this iſland, whatever ſhould appear to be juſtly due for the arrears of quit-rents for their reſpective lands, in order to intitle themſelves to the advantage held out by the ſaid act; but on account of the great number of perſons owing for arrears, and the difficulty of adjuſting their reſpective accounts, it was found impracticable for the receiver-general to make out and adjuſt the accounts of all perſons ſo applying within the time limited by the ſaid act: And whereas it is juſt and reaſonable that further time ſhould be granted, for the above purpoſe, to all perſons under the above-mentioned circumſtances: And whereas it is found neceſſary to explain and amend the ſaid act of the lieutenant-governor, council, and aſſembly, in other reſpects, Preamble. 29 Geo. III. cap. 12.

ſpects, the ſame not having proved fully adequate to the purpoſes for which it was intended: May it pleaſe your majeſty that it may be enacted, and be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That, from and after the paſſing of this act, it ſhall and may be lawful for all perſons who have given-in, or cauſed to be given-in, before the juſtices and veſtry of the pariſh where the lands reſpectively lie, a true and exact account, in writing, of the whole of the lands which they reſpectively own, hold, enjoy, inherit, occupy, or poſſeſs, according to the true intent and meaning of the ſaid recited act, and who ſhall, within the time limited in that reſpect by the ſaid act, have applied at the office of the receiver-general of this iſland, and there tendered or offered payment of what ſhould appear to be juſtly due for arrears of the quit-rents of their reſpective lands, or offered to give bond for the payment thereof, as directed by the ſaid act, but who were not able to get their accounts of arrears adjuſted and ſettled at the ſaid office, again to apply at the ſaid office, and on payment in caſh, to the receiver general for the time being, of the amount due for the arrears of their ſeveral and reſpective lands, to the thirty-firſt day of December, one thouſand ſeven hundred and eighty-eight, to receive or be allowed, by the receiver-general for the time being, ſuch diſcount or deduction of fifteen pounds *per cent.* as mentioned in the ſaid recited act, or otherwiſe to enter into and give bond to our ſovereign lord the king, his heirs and ſucceſſors, for the full amount of the arrears of their reſpective quit-rents, in the ſame manner as directed by the ſaid act: Provided, That ſuch payment of arrears be made in caſh, to the receiver-general for the time being, on or before the fifteenth day of May next, or that ſuch bond or bonds be duly entered into, and delivered to ſuch receiver-general, on or before the ſaid laſt-mentioned day, and be made payable on or before the twenty-eighth day of July next; any thing in the ſaid recited act to the contrary thereof in anywiſe notwithſtanding.

Persons who have complied with the former act, but could not get their accounts settled, and who shall pay arrears in cash, to be allowed the fifteen *per cent.* discount,

if paid before 15th May next.

II. And be it further enacted by the authority aforeſaid, That all perſons who own, hold, enjoy, inherit, occupy, or poſſeſs, any lands within this iſland, in their own right or in right of their wives, and all mortgagees in poſſeſſion, guardians, attornies, agents, truſtees, executors, and all other perſons in poſſeſſion of lands within this iſland, in right of others, ſhall, at the time of the annual givings-in, before the juſtices and veſtry of the ſeveral and reſpective pariſhes of this iſland, of the accounts of the lands they reſpectively ſo own, hold, enjoy, inherit, occupy, or poſſeſs, agreeably to the true intent and meaning of the aforeſaid act, ſpecify, and diſtinctly ſet down in writing, in ſuch accounts, the whole number of acres of land, and, if foot-land, the number of lots, and the quantity of feet in each lot, which ſhall have been by them, or any of them, ſold, or otherwiſe granted and conveyed, ſince the time of the former giving-in of ſuch lands, together with

Persons, when giving-in, to specify in writing, upon oath, the number of acres disposed of, and to whom.

with the name or names of the perſon or perſons, and where reſident, to whom the ſame has been ſo ſold, or otherwiſe granted or conveyed; and for that purpoſe the following form, or to the like effect, ſhall be added to and made a part of each of the oaths in that reſpect preſcribed by the ſaid act, and thereby directed to be written at the foot of each and every account ſo to be given in; *viz.*

Addition to the oath on giving-in.

AND *I do alſo ſwear* (or *affirm*, if a quaker), *that the above contains a true and exact account of the whole number of acres of land, or, if foot-land, of the number of lots, and the quantity of feet in each lot, which has been ſold or otherwiſe granted or conveyed, and the name or names of the perſon or perſons, and of his,* [her,] *or their place of reſidence, to whom the ſame has been ſo ſold, or otherwiſe granted or conveyed, according to the beſt of my knowledge and belief:*

Persons refuſing or neglecting to give-in as directed, to forfeit 100*l.* beſides being aſſeſſed;

And all and every perſon or perſons who ſhall hereafter neglect or refuſe to give-in, or cauſe to be given-in, before the juſtices and veſtry of the pariſh where the lands lie, a true and juſt account of the lands which they reſpectively own, hold, enjoy, inherit, occupy, or poſſeſs, within this iſland, at the time, and in manner and form herein before and in the ſaid recited act declared, limited, and appointed, ſhall, for every ſuch neglect or refuſal, forfeit the ſum of one hundred pounds, and be moreover liable to be taxed or aſſeſſed by the juſtices and veſtry, in the ſame manner as is directed by the ſaid act, in the caſe of perſons neglecting or refuſing to give-in an account of their lands as therein mentioned; who ſhall, nevertheleſs, be intitled to the benefit of the proviſo contained in the ſaid act, in caſe ſuch neglect or refuſal ſhall appear not to have been wilful on their part.

but they are to have redreſs from agents, if they neglect.

When collecting conſtables cannot find diſtreſs, they muſt, under penalty of 50*l.* deliver attested accounts thereof to receiver-general;

III. And be it further enacted by the authority aforeſaid, That in all caſes where a collecting conſtable, to whom a roll and warrant ſhall be delivered for collecting and gathering in either the arrears of quit-rents, or the annual quit-rents, in any pariſh of this iſland, ſhall not be able to collect the quit-rents due from any perſon or perſons, for want of goods, chattels, or ſlaves, to diſtrain upon, he ſhall make out an account thereof in writing, which he ſhall ſwear to the truth of before any one juſtice of the peace of this iſland, and deliver the ſame to the receiver-general of this iſland, at the time when he ſhall pay over to him ſuch monies as he may have collected under ſuch roll and warrant, under the penalty of fifty pounds, in caſe of neglect or refuſal: And the receiver-general for the time being ſhall, under the like penalty; within twenty days from and after ſuch account ſhall be delivered to him, as aforeſaid, tranſmit to the clerk or clerks of the veſtry of any pariſh or pariſhes within this iſland, where he may know or have reaſon to believe there are goods, chattels, or ſlaves, liable to diſtreſs for non-payment of the quit-rents mentioned in the ſaid account, ſo received from any collecting conſtable, a copy of ſuch account: And the clerk or clerks of the veſtry who ſhall receive ſuch copy, and alſo the

who muſt, under like penalty, tranſmit a copy of ſuch accounts to the clerk of the veſtry of any pariſhes where he believes diſtreſs can be had;

and such clerks, and the justices, are to act for the recovery of the monies, as they might for quit-rents due for lands in their own parishes.

the juſtices of the peace of the pariſh or pariſhes reſpectively, are hereby ſeverally and reſpectively required, authorized, and empowered, to do all ſuch acts, matters, and things, for the recovery of the quit-rents mentioned in the ſaid account, as they are ſeverally and reſpectively required, authorized, and empowered, to do by the ſaid recited act, for the recovery of quit-rents, or arrears of quit-rents, for lands lying within the pariſh for which they were appointed juſtices of the peace: And the ſaid clerk or clerks of the veſtry, and the ſaid juſtices of the peace, or any or either of them, neglecting or refuſing to do his or their duty herein, ſhall reſpectively incur and be liable to the ſame fines and forfeitures as are in that reſpect impoſed by the ſaid act: And the collecting conſtable of each and every pariſh, to whom any roll or warrant ſhall be delivered, in purſuance of this act, ſhall be, and he is hereby, authorized and empowered to take and uſe all ſuch lawful ways and means for the collecting and gathering in the quit-rents mentioned in the ſaid roll, as he is authorized under the ſaid act to uſe for the recovery of the quit-rents therein mentioned: And every ſuch collecting conſtable ſhall pay over all and every ſuch monies as he ſhall receive, under the ſaid warrant and roll, into the hands of the receiver-general for the time being, within thirty days after the ſame ſhall have been delivered to him, deducting thereout one ſhilling in the pound, for his trouble in collecting the ſame, and no more: And every ſuch collecting conſtable ſhall be, and he is hereby made, amenable, in the ſame manner as for any other public tax, to the ſupreme court of judicature of this iſland, for any neglect of duty in the execution of any warrant under this act, or non-payment of the monies by him received to the receiver-general for the time being; and the receiver-general is empowered to take out a writ or writs of *venditioni exponas* againſt the body and goods of the ſecurity or ſecurities of every ſuch collecting conſtable, as well as againſt the body and goods of ſuch collecting conſtable, and to proceed thereon in the ſame manner, for the recovery of all ſum and ſums of money which ſhall be unpaid by ſuch collecting conſtable, as is directed by the act of the governor, council, and aſſembly of this iſland, paſſed in the year of our Lord one thouſand ſeven hundred and eighty-three, entitled, *An act for repealing an act entitled*, "*An act for the better diſcovering and collecting the arrears of his majeſty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due;*" *and for the better diſcovering, aſcertaining, and collecting, ſuch arrears; and for the more effectual collecting the quit-rents hereafter to become due.*

Collecting constables empowered to collect quit-rents due in other parishes; and obliged to pay them to receiver-general in thirty days, deducting poundage.

Collecting constables made amenable, and they and their securities to be proceeded against, as directed by the 21st clause of

24 Geo. III. cap. 11.

Juſtices, veſtrymen, &c. &c. neglecting their duty, to forfeit 100*l.* unleſs where other

IV. And be it enacted by the authority aforeſaid, That if any juſtice of the peace, veſtryman, clerk of the veſtry, receiver-general, or collecting conſtable, ſhall neglect or refuſe to do his or their duty, purſuant to the true intent and meaning of this act, or of the ſaid recited act, paſſed in the year of our Lord one thouſand ſeven hundred and eighty-eight, every perſon ſo offending ſhall, for every offence or neglect, for which no penalty

is herein before inflicted, forfeit the ſum of one hundred pounds; and that all and every the penalties incurred by this act, ſhall be recovered, by action of debt, bill, plaint, or information, in the ſupreme court of judicature of this iſland, wherein no eſſoin, protection, wager of law, injunction, or imparlance, ſhall be granted or allowed, or *non vult ulterius proſequi* be entered; one moiety of all which fines and forfeitures to be hereby incurred and recovered, as aforeſaid, ſhall be to our ſovereign lord the king, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof, and the other moiety to him or them who ſhall ſue for the ſame; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding.

penalties before inflicted.

Penalties how to be recovered and applied.

CAP. XV.

An act to enable the directors of the Bath of St. Thomas the Apostle to grant certain lots and parcels of the Bath land in fee; and for other purposes.

[19th December, 1789.]

WHEREAS many of the lots heretofore laid out in the town of Bath have been deſtroyed by the inundations of Plantain-Garden-River: And whereas, contrary to the ſpirit and intention of former acts, divers individuals are each become poſſeſſed of more than one of the remaining lots; by means whereof no lands are left to be granted to perſons willing to ſettle in the ſaid town, and to build houſes for the public accommodation: And whereas part of the fifty acres, binding north on Iſland-River-Street, reſerved for the uſe of the public, may be conveniently ſpared, to be added to the ſaid town: We, your majeſty's dutiful and loyal ſubjects, the aſſembly of Jamaica, do moſt humbly beſeech your majeſty that it may be enacted, [*and be it enacted*] by the lieutenant-governor, council, and aſſembly, and by the authority of the ſame, That it may and ſhall be lawful to and for the ſaid directors, or any three of them, and they are hereby authorized, empowered, and required, to convey, in like manner as is preſcribed by an act paſſed in the year of our Lord one thouſand ſeven hundred and forty-nine, and ſubject to the ſame conditions in caſe of forfeiture, a good and indefeaſible eſtate, in fee-ſimple, of one half acre, to contain in front one hundred and thirty-two feet, binding ſouth on Iſland-River-Street, agreeably to the diagram * hereunto annexed, to all and every perſon and perſons who ſhall apply for the ſame, excepting and reſerving one acre in front of the houſes of the overſeer and negroes belonging to the Bath.

Preamble.

Lots of land to be granted in Island-River-Street, subject to conditions prescribed by 22 *Geo.* II. *cap.* 13.

* *To be seen in the secretary's office.*

II. Provided always, and it is hereby enacted, That it ſhall not be lawful for any individual to hold, in his own name, or in the name of any other perſon or perſons in truſt for him, or to his uſe, by grant, purchaſe, or otherwiſe, more than one of the lots to be granted by virtue of this act.

Not more than one lot to be granted to each person.

III. And

Additional directors appointed.

III. And whereas the good government and economy of the Bath require that there ſhould be frequent meetings of the corporation, which it is often difficult to procure, for want of a competent number of directors reſident in the neighbourhood: Be it therefore further enacted, That John Macqueen, William Lambie, John Scott, George Scott, Samuel Crookſhanks Baillie, Kean Oſborn, Charles William Michel, George Grant, John Kelly, Eliphalet Fitch, and James Lindſay, eſquires, be, and they are hereby, added to the directors herein before appointed, for the purpoſes of carrying into execution this act and the former acts for the government of the Bath, with the ſame powers and authority, to all intents and purpoſes, as the directors already appointed hold and enjoy.

Botanic garden put under care of the directors, who may appoint a gardener, hire laves, &c. he expence hereof not to xceed 200*l.* *y ann.*

IV. And be it enacted by the authority aforeſaid, That, from henceforth, the public or botanic garden, in the town of Bath, ſhall be under the direction and inſpection of the ſaid directors; and that it ſhall and may be lawful to and for the ſaid directors, or any three of them, from time to time, to appoint ſuch white perſon as they ſhall think fit, to be employed as a gardener under the iſland botaniſt, and to hire ſo many negro or other ſlaves, to work and be employed in and about the buſineſs of the ſaid garden, and to order and direct all ſuch things to be done or purchaſed for the uſe and improvement of the ſaid garden, as they the ſaid directors, or any three of them, ſhall judge proper; who are hereby authorized and empowered to allow ſuch wages, hire, and ſums of money, as ſhall be neceſſary for the above purpoſes, and to draw for the ſame upon the receiver-general for the time being, who is hereby required to pay the ſame; provided the amount of ſuch orders do not, in the whole, exceed the ſum of wo hundred pounds in any one year.

CAP. XVI.

EXPIRED. *An act for laying a duty on all wines, and upon brandy, gin, rum, and other diſtilled ſpirits, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of brandy, gin, rum, and other diſtilled ſpirits, and on the public offices; and for applying the ſame to ſeveral uſes.*—[19th December, 1789.]

CAP. XVII.

EXPIRED. *An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.*—[19th December, 1789.]

CAP. XVIII.

An act to appoint commissioners to inspect the books of the receiver-general, and to settle and adjust the public accounts.—[19th December, 1789.] EXPIRED.

CAP. XIX.

An act for the more speedy collection of the public taxes, and the arrears thereof now due.—[19th December, 1789.] EXPIRED.

CAP. XX.

An act to authorize certain commissioners, therein to be named, to compile, print, and publish, the several public acts of assembly of this island; and for declaring the acts, so published by the said commissioners, to be evidence in all cases whatsoever.—[30th March, 1790.]

WHEREAS it is necessary and expedient that correct copies of the several public acts in force in this island be printed and published, under and by the direction and advice of certain commissioners to be authorized and appointed for that purpose: May it please your most excellent majesty, that it may be enacted; Be it therefore enacted by the governor, council, and assembly, of this your majesty's island of Jamaica, and it is hereby enacted and ordained by the authority of the same, That the chief justice for the time being, Bryan Edwards, William Mitchell, John Rodon, Philip Redwood, John Hutchinson Fraser, Samuel Whitehorne, Charles Grant, and Robert Shawe, esquires, be appointed and authorized to collect, print, and publish, all the several public acts of this island, which shall be in force on the thirty-first day of December, in the present year of our Lord one thousand seven hundred and ninety; saving the rights of James Jones, esquire, under and by virtue of an act of the governor, council, and assembly, passed in the year of our Lord one thousand seven hundred and eighty-three. Preamble. Commissioners appointed for publishing the laws.

II. And be it further enacted by the authority aforesaid, That, immediately from and after the printing and publishing the same, such acts, so printed and published by and under the authority of the said commissioners, or any three or more of them, be taken and received as conclusive evidence in the several courts of justice of this island, in all cases whatsoever; any law, custom, or usage, to the contrary in anywise notwithstanding. The laws so published to be received as evidence in the courts.

III. And be it further enacted by the authority aforesaid, That two copies of such acts, so published as aforesaid, be sent to the governor, and two Copies to be delivered to the members

of the legislature, judges, &c.

two copies to each member of the council and aſſembly of this iſland, and two copies to the chief juſtice and each of the aſſiſtant judges of the ſupreme court, and one copy to each juſtice of aſſize, and to each clerk of the peace and veſtry, in each of the pariſhes of this iſland, for the uſe of ſuch pariſh.

Commissioners empowered to assign the copy-right.

IV. And be it further enacted by the authority aforeſaid, That the ſaid commiſſioners, or any three of them, be hereby authorized to grant, transfer, and aſſign, the copy-right of and in the ſaid laws, ſo collected, printed, and publiſhed, under their direction and authority, to ſuch perſon or perſons as they ſhall think proper, towards defraying the expences of printing the ſame; and that the receiver-general do pay to the order of the ſaid commiſſioners, or any three of them, a ſum not exceeding the ſum of one thouſand two hundred pounds, current money of this iſland, for the purchaſing out the right of the ſaid James Jones, and for the other purpoſes of this act, out of any money in his hands unappropriated.

1200*l.* to be paid to their order by the receiver-general, for purposes of this act.

CAP. XXI.

REPEALED. *An act for appointing commiſſioners for purchaſing a ſufficient quantity of land, on the north ſide of the public parade in the town of St. Jago de la Vega, whereon to fix the ſtatue of lord Rodney, and to erect one or more offices and buildings for holding and better preſerving the public records.*—[30th March, 1790.]

CAP. XXII.

EXPIRED. *An act for granting an additional ſalary to his excellency Thomas earl of Effingham, captain-general, governor, and commander in chief, during his adminiſtration.*—[30th March, 1790.]

CAP. XXIII.

EXPIRED. *An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports; and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.*—[30th March, 1790.]

Anno regni Georgii tertii triceſimo primo.

CAP. I.

EXPIRED. *An act for raiſing and fitting out parties for the ſuppreſſing any rebellion in this iſland, during the continuance of this act.*—[18th December, 1790.]

CAP.

CAP. II.

An act for the prevention of indebted persons from departing this island in time of martial law; and to empower the judges and justices to exercise their several offices in certain cases; and to empower the justices and vestry, and churchwardens, and surveyors of highways, to discharge their several duties; and to enable landlords to distrain for rent, notwithstanding martial law.—[18th December, 1790.]

EXPIRED.

CAP. III.

An act to encourage persons to keep vessels for transporting goods about this island, and to prevent abuses being committed by the masters or commanders of such vessels; and to regulate wharfingers and others shipping such goods.

[18th December, 1790.]

Preamble.

WHEREAS it will conduce greatly to the benefit of trade, and to the advantage and convenience of the inhabitants of this island, to be supplied regularly with goods, and to have the produce of their plantations brought to market: For the encouragement, therefore, of such persons as shall keep sloops, schooners, or other proper vessels, to be employed for these purposes, Be it enacted by the governor, council, and assembly, of this his majesty's island of Jamaica, and it is hereby enacted by the authority of the same, That it shall and may be lawful for every person keeping any sloop, schooner, or other vessel, for the transporting goods from one port to another about this island, to ask, demand, and receive, for the transportation of goods, a freight according to the rates hereunto affixed; any law, custom, or usage, to the contrary in anywise notwithstanding.

Rates of freight to be according to the annexed table.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the owner or owners of any sloop, schooner, or other vessel, so trading as aforesaid, or for the master or commander of such, in his or their names, to detain, out of any parcel of goods he or they shall bring from any of the out-ports of this island to the town of Kingston, as much of the said parcel of goods as the freight thereof shall amount to, on the refusal of the consignee of the said parcel of goods to pay the freight, according to the rates aforesaid; and that it shall and may be lawful for such owner or owners, master or commander, as aforesaid, to have the goods so detained for freight valued by any justice of the peace for the said town of Kingston, which justice is hereby empowered and required to value the said goods accordingly; and that the said owner or owners, master or commander, may detain so much of the value thereof as shall pay the said freight, and return the overplus, if any, to the said consignee.

Owners, &c. of droggers may detain as much of the goods as will pay the freight, in case consignee refuses payment;

such goods being valued by a justice.

If goods delivered, and payment afterwards refused, master, &c. may apply to a juſtice,

III. And be it further enacted by the authority aforeſaid, That for any goods carried from Kingſton to any of the out-ports or ſhipping-places of this iſland, it ſhall and may be lawful for the owner or owners of ſuch trading ſloop, ſchooner, or other veſſel, or for the maſter or commander of ſuch, in his or their names, to demand and receive from the ſhipper of the ſaid goods, after the delivery thereof, according to the tenor and agreement of the receipts or bills of lading given for the ſaid goods at the time of taking them on board, the amount of the freight, according to the rates aforeſaid; and, on the refuſal of ſaid ſhipper to pay the ſaid freight, to apply or complain to any two juſtices of the peace for the pariſh of Kingſton aforeſaid, who are hereby empowered and required, under the penalty of twenty pounds, to hear ſuch complaint, and, on due proof thereof, to iſſue their warrant or warrants, under their hands and ſeals, to any ſworn conſtable of the ſaid pariſh, to diſtrain on the offender's goods, and them to ſell at public outcry, firſt giving five days notice of the day of ſale; and the ſaid conſtable is hereby authorized to keep one ſhilling in the pound, for his trouble and charges, out of the monies ariſing from the ſale of ſuch goods; and the overplus, if any, after payment of the ſaid freight, he ſhall return to the owner.

who must hear the complaint, under penalty of 20*l.* and cause diſtraint to be made.

Freight of goods carried from out-port to out-port may be agreed for, and payment enforced as above.

IV. And whereas, from the great number of out-ports, it is difficult to eſtabliſh by law a regular and proper freight for carrying goods from one out-port to another: Be it therefore enacted by the authority aforeſaid, That it ſhall and may be lawful for the owner or owners, maſter or commander, of ſuch trading ſloop, ſchooner, or other veſſel, to agree with the ſhipper of any goods for the freight thereof from one out-port or ſhipping-place to another about this iſland, and, on the landing them, or at any time after, to demand and receive from the ſaid ſhipper the freight ſo agreed for; and on his refuſal to pay the ſame, to apply or complain to any magiſtrate of the pariſh where ſuch ſhipper ſhall reſide, who is hereby empowered and required, under the penalty of twenty pounds, to hear ſuch complaint, and, on due proof thereof, to proceed in the ſame manner, by warrant or warrants, under his hand and ſeal, to diſtrain on the offender's goods, as the magiſtrates of Kingſton are before directed by this act in the like caſe; and the conſtables of ſuch pariſh, to whom ſuch warrant or warrants are iſſued, are to proceed in the ſame manner as the conſtables of the pariſh of Kingſton are by this act directed, and to be intitled to the ſame perquiſites for their trouble and charge in the execution of their office.

V. And whereas many inconveniencies have ariſen, and great opportunities have been given for frauds to be committed, to the manifeſt damage of the planters and other inhabitants of this iſland, from the irregular manner in which goods have been heretofore ſent to the out-ports, and the weights, meaſures, and quantities, of ſuch goods not having been aſcertained, and neceſſary receipts or bills of lading for the ſame taken: Be it

therefore

therefore enacted by the authority aforesaid, That every merchant, factor, wharfinger, or other person, shipping goods on any sloop, schooner, or other vessel, so to be employed as aforesaid, from Kingston to any of the out-ports of this island, or from any such out-ports to Kingston, or from any one port or shipping-place to another, shall, and he is hereby required to, deliver all kinds of goods by weight, gauge, measure, quantity, or condition, to every master or commander of such sloop, schooner, or other vessel, and to take two or more regular receipts or bills of lading for the same, and one thereof, together with the invoice of such goods, to transmit to the person or persons to whom such goods shall be consigned, or to his, her, or their agent or agents, employed to receive the said goods; and every merchant, factor, wharfinger, or other person, neglecting his or their duty herein, shall forfeit the value of such goods as may be lost through such his or their neglect; and every master or commander of such sloop, schooner, or other vessel, is hereby obliged and required to sign such receipts or bills of lading, as aforesaid, under the penalty of fifty pounds for every refusal: Provided nevertheless, That no merchant, factor, wharfinger, or other person, as aforesaid, shall unnecessarily delay such master or commander to sign the same.

Shippers to deliver goods by weight, &c. and take two or more bills of lading.

and send one of them, with the invoice, to consignee, or stand to all loss.

Masters, &c. must sign them, under penalty of 50*l.*

but shippers must not detain them.

VI. And be it further enacted by the authority aforesaid, That any person or persons keeping a public wharf or wharves at Kingston, or any of the out-ports of this island, shall, and are hereby required to, weigh, gauge, measure, count, and examine, according to their quality, all goods so shipped, as aforesaid, and landed at his and their wharves, immediately on the landing of the said goods, and to enter the same, with their weight, gauge, measure, quantity, and condition, in their wharf-books; which books they are hereby obliged and required to keep; and every such public wharfinger or wharfingers neglecting his or their duty herein, shall forfeit the sum of fifty pounds for every such his or their neglect; and the said public wharfinger or wharfingers are hereby authorized to charge, for their trouble herein, according to the established rates for weighing, gauging, measuring, or counting, goods shipped or landed at their respective wharves, as aforesaid: And all wharfingers or others employed in shipping goods from this island to Europe are also hereby obliged and required to weigh, gauge, measure, or count, such goods, according to their quality, at the shipping or delivery of the same, and to make regular entries in their books accordingly.

Wharfingers to weigh, &c. goods, and enter them in their wharf-books, under penalty of 50*l.*

for which they are to be paid the usual rates.

They must also weigh, &c. goods shipped for Europe.

VII. And be it further enacted by the authority aforesaid, That the master or commander of every sloop, schooner, or other vessel, so trading as aforesaid, is hereby obliged and required to sign two or more receipts or bills of lading, for all goods which he shall receive on freight at any of the out-ports or shipping-places of this island, to be carried from such out-port or shipping-place to Kingston.

Masters, &c. must sign bills of lading for goods to be carried to Kingston.

VIII. And whereas many and great abuses have been committed by the masters of vessels, carrying goods on freight about this island, having unnecessarily stopped at many ports, bays, harbours, quays, creeks, or shipping-places,

places, and by their delays thereat, and by having ſold and diſpoſed of, for their own advantage, goods ſo taken on board, to the manifeſt injury and diſappointment of the perſon or perſons for whom ſuch goods were intended, and by their having frequently landed goods contrary to the conditions of their engagements: For remedy whereof, Be it enacted by the authority [*aforeſaid*], That every maſter or commander of ſuch ſloop, ſchooner, or other veſſel, ſo trading as aforeſaid, ſhall clear out at the proper offices every time he ſhall ſail from the harbour of Kingſton; in which clearance ſhall be ſet forth, on oath, the port or ſeveral ports, or ſhipping place or places, to which he hath engaged to carry goods on freight; which oath the proper officer of each reſpective office is hereby empowered and required to adminiſter; and that no ſuch maſter or commander ſhall, upon any pretence whatſoever, under the penalty of fifty pounds, ſtop at any other port or ports, bays, harbours, quays, creeks, or ſhipping-places, than that or thoſe for which he ſhall have ſo cleared out, as aforeſaid, without having been firſt at ſuch port or ports, ſhipping place or places, ſo cleared out for; and that he ſhall ſtop at the different ports which he has ſo cleared out for, going to the neareſt port firſt, and ſo on in regular ſucceſſion, ſtreſs of weather or any other unavoidable accident excepted; and in caſe of any ſuch unavoidable accident, ſuch maſter or commander ſhall, within forty-eight hours after his arrival at any port, or ſhipping-place for which he had not cleared out, make a regular proteſt, upon oath, before ſome magiſtrate, ſetting forth the cauſe or neceſſity of his putting into ſuch port or ſhipping-place.

Masters to have a clearance every voyage, ſpecifying ports they are to call at;

and must not ſtop at any other, under penalty of 50*l.* till they have been to them,

in regular ſucceſſion.

Maſters to enter proteſts in caſe of accidents.

IX. And, in order to prevent the wicked and fraudulent practice of any maſter or commander ſelling or diſpoſing of any goods taken on freight, Be it enacted by the authority aforeſaid, That any maſter or commander of a ſloop, ſchooner, or other veſſel, ſo trading as aforeſaid, who ſhall ſell or diſpoſe of, or not deliver, any goods whatſoever, taken on board on freight, ſhall forfeit treble the value of ſuch goods ſo ſold or diſpoſed of, or not delivered at the port where they were deliverable, to the perſon or perſons whoſe property they were; to be recovered, by action of debt, in the ſupreme court of judicature, or in either of the county courts in this iſland.

Maſters not delivering goods, to forfeit treble the value.

X. And be it further enacted, That every maſter or commander of ſuch ſloop, ſchooner, or other veſſel, ſhall, under the penalty of fifty pounds, land and deliver each and every parcel of goods carried by him on freight, at ſuch port or ſhipping-place as ſhall be ſpecified in the receipts or bills of lading, ſigned or given for ſuch goods; and every ſuch maſter or commander, as aforeſaid, who ſhall not land and deliver each and every parcel of goods taken on board on freight, according to the weight, gauge, meaſure, quantity, and condition, by which he received the ſame, ſhall forfeit treble the value of ſuch goods as he may fail to deliver at the port where they were deliverable, as aforeſaid, to the perſon or perſons whoſe property they were; to be recovered, by action of debt, in the ſupreme court of judicature, or in either of the county courts of this iſland.

Goods to be delivered at the deſtined ports, under penalty of 50*l.* and if not according to weight, &c. treble the value of deficiency to be forfeited.

XI. And

If rum adulterated, 10*l.* *per* puncheon or cask to be forfeited.

XI. And be it further enacted by the authority aforeſaid, That every maſter or commander of ſuch ſloop, ſchooner, or other veſſel, who ſhall ſign receipts or bills of lading for proof rum, and ſhall not deliver it of ſufficient proof to ſink oil of olives, ſhall forfeit the ſum of ten pounds for every puncheon or caſk ſo delivered; to be recovered, in a ſummary manner, before any two magiſtrates of the pariſh where ſuch rum ſhall be landed, on a complaint, on oath, of the proprietor or conſignee of ſuch rum, his agent or factor; and the ſaid juſtices are hereby empowered and required, under the penalty of twenty pounds, to hear ſuch complaint, and to proceed in the ſame manner as the juſtices of Kingſton are herein before directed; and the conſtable of ſuch pariſh, to whom his warrant ſhall be directed, ſhall proceed in the ſame manner as the conſtable of Kingſton is by this act directed, and be intitled to the ſame perquiſite for his trouble and charges in the execution of his office.

Juſtices to hear complaints, under penalty of 20*l.*

Maſters adulterating wines to forfeit double the value.

XII. And whereas a moſt pernicious practice hath prevailed, of adulterating Madeira and other wines, ſhipped in pipes or other caſks, by drawing off a quantity, and filling up the ſaid pipes and caſks with water: In order to prevent ſo great an evil for the future, Be it enacted by the authority aforeſaid, That every maſter or commander, as aforeſaid, who ſhall ſpoil or adulterate any Madeira or other wines, which he ſhall take on board his veſſel on freight, by mixing any other liquid therewith, or any other manner whatſoever, ſhall, for every offence, forfeit double the value of ſuch pipe or other caſk of wine; to be recovered, in a ſummary way, before any two of his majeſty's juſtices of the peace for the pariſh where ſuch Madeira or other wines were to be landed, on the complaint of the proprietor thereof, or his agent or factor; and the ſaid juſtices are hereby empowered and required, under the penalty of twenty pounds each, to hear ſuch complaint, and to proceed as the juſtices of Kingſton are directed by this act; and the conſtable of ſuch pariſh, to whom their warrant ſhall be directed, ſhall alſo proceed in the ſame manner, and be intitled to the ſame perquiſite.

Drogging veſſels to be regiſtered at the naval office.

Commander to be a white man, and number painted on veſſel's ſide, under penalty of 200*l.*

XIII. And, the better to aſcertain what number of veſſels are kept and employed for the purpoſes of this act, and who are the owners, maſters, or commanders, of ſuch veſſels, Be it enacted by the authority aforeſaid, That every ſloop, ſchooner, or other veſſel, which ſhall be kept and employed to carry goods about this iſland on freight, ſhall be regiſtered in the naval officer's office of this iſland; in which regiſter ſhall be ſet down the name of ſuch ſloop, ſchooner, or other veſſel, and the name or names of the owner or owners thereof, and alſo the name of the maſter or commander thereof, who ſhall be a white man; and ſuch ſloop, ſchooner, or other veſſel, ſhall be alſo numbered in the ſaid regiſter, which number ſhall be painted in ſome convenient part of her ſide, open to public view, in large figures: And in caſe any perſon or perſons ſhall preſume to keep any ſuch ſloop, ſchooner, or other veſſel, for the purpoſes aforeſaid, without firſt regiſtering her, and affixing the number as aforeſaid, as is directed and required by this act, or ſhall put her under the command of any mulatto, Indian, or negro, he ſhall, for every offence, forfeit the ſum of two hundred pounds;

None but drogging vessels affected by this act.

pounds: Provided nevertheleſs, That no part of this act, or any thing therein contained, ſhall be deemed or taken to extend to any ſhip or other veſſel trading to this iſland from other parts of his majeſty's dominions, or to boats employed, by the inhabitants of Kingſton or Port-Royal, to fetch plantains and other proviſions for the uſe of the ſaid towns; but they are all hereby declared to be without the meaning and intent of this act, and may tranſport goods from port to port in their uſual and accuſtomed manner.

A bill of lading to be given for goods sent to and from Kingston, Passage-Fort, and Port-Henderson;

XIV. And be it further enacted by the authority aforeſaid, That every merchant, factor, wharfinger, or other perſon, receiving and delivering goods at Paſſage-Fort, or Port-Henderſon, to be ſent to and delivered at Kingſton, and alſo all goods which ſhall be delivered at Kingſton to be ſent to Paſſage-Fort or Port-Henderſon, ſhall, in like manner, have the weight, gauge, meaſure, quantity, and condition, thereof aſcertained, as well on the receipt as at the delivery of the ſame, by ſuch merchant, factor, wharfinger, or other perſon, on pain of forfeiting the value of ſuch goods as may be loſt or deficient through his or their neglect; and each and every boatman, maſter, or commander, of each and every veſſel carrying goods on freight between Kingſton, Paſſage-Fort, and Port-Henderſon, is hereby obliged and required, under the penalty of fifty pounds, to give or ſign a receipt or bill of lading for ſuch goods as he or they ſhall receive on board, or forfeit treble the value of ſuch goods as he may fail to deliver; to be recovered in the manner heretofore directed by this act in caſes between Kingſton and the out-ports: And every ſuch boatman, maſter, or commander, who ſhall ſign receipts or bills of lading for proof rum, as aforeſaid, to be carried from Paſſage-Fort or Port-Henderſon to Kingſton, and ſhall not deliver it in the like good order, or ſhall ſpoil or adulterate any Madeira or other wines to be carried from Kingſton to Paſſage-Fort or Port-Henderſon, ſhall be liable to the ſame penalties and forfeitures; to be recovered againſt him or them in the ſame manner heretofore directed in this act, in like caſes between Kingſton and the out-ports.

and delivery of such goods regulated as those before mentioned.

During war, fifty *per cent.* additional freight may be taken.

XV. And be it further enacted by the authority aforeſaid, That, in the time of war, the maſter or commander of every ſloop, ſchooner, or other veſſel, ſo trading as aforeſaid, may aſk, demand, and receive, for freight of all goods, fifty pounds *per centum* on the ſum allowed in the table of rates afore-mentioned.

Recovery of penalties,

XVI. And be it further enacted by the authority aforeſaid, That all penalties and forfeitures mentioned in this act, and not declared how they ſhall be recovered or diſpoſed of, ſhall be recovered in the ſupreme court of judicature, or in either of the county courts of this iſland, by action of debt, bill, plaint, or information, wherein no eſſoin, protection, or wager of law, ſhall be allowed or *non vult ulterius proſequi* be entered; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding; one moiety whereof ſhall be to his majeſty, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof, and the other moiety to ſuch perſon or perſons who ſhall ſue for the ſame.

and application thereof.

TABLE

TABLE OF RATES OF FREIGHT TO WHICH THE ANNEXED LAW REFERS.

From Kingston to the out-ports, or from them to Kingston.		Hogsheads and puncheons, and shingles, *per* thousand.			Tierces.		Barrels.		Firkins and boxes.		Hoes and bills, *per* dozen.		Small bundles.		Ginger, *per* cwt. or bag.		Cotton, *per* cwt.		Piemento, *per* cwt.		Hoops, staves, tiles, & bricks, *per* thousand.			Oznaburghs, *per* piece.		Large bundles.		Boards and planks, *per* thousand.			Tobacco, *per* cwt.	
		l.	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*l.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*l.*	*s.*	*d.*	*s.*	*d.*
Old-Harbour and Peake-Bay,		0	7	6	3	9	2	6	1	3	0	$7\frac{1}{2}$	0	$7\frac{1}{2}$	1	0	2	6	1	$10\frac{1}{2}$	1	5	0	1	3	1	3	1	0	0	1	$10\frac{1}{2}$
Withywood and Milk-River,		0	8	9	3	9	2	6	1	3	0	$7\frac{1}{2}$	0	$7\frac{1}{2}$	1	0	3	9	2	6	1	5	0	1	3	1	3	1	3	$1\frac{1}{2}$	2	6
Salt-River,		0	8	9	3	9	2	6	1	3	0	$7\frac{1}{2}$	0	$7\frac{1}{2}$	1	0	3	9	2	6	1	5	0	1	3	1	3	1	3	$1\frac{1}{2}$	2	6
Black-River & Plantain-Garden-River,		0	12	6	5	0	3	9	1	$10\frac{1}{2}$	1	3	0	$7\frac{1}{2}$	1	3	4	$4\frac{1}{2}$	3	$1\frac{1}{2}$	1	10	0	1	$10\frac{1}{2}$	1	3	1	5	0	3	$1\frac{1}{2}$
White Houſe,		0	15	0	7	6	3	9	1	$10\frac{1}{2}$	1	$10\frac{1}{2}$	0	$7\frac{1}{2}$	1	3	4	$4\frac{1}{2}$	3	$1\frac{1}{2}$	1	13	9	1	$10\frac{1}{2}$	1	3	1	5	0	3	$1\frac{1}{2}$
Weſtmorland,		0	18	9	10	0	5	0	2	6	1	$10\frac{1}{2}$	0	$7\frac{1}{2}$	1	10	4	$4\frac{1}{2}$	3	$1\frac{1}{2}$	1	15	0	1	$10\frac{1}{2}$	1	3	1	7	6	3	$1\frac{1}{2}$
Hanover and all northſide, Plantain-Garden-River excepted	Hhds.	1	2	6	10	0	5	0	2	6	2	6	1	3	3	9	5	0	3	9	2	0	0	3	$1\frac{1}{2}$	2	6	1	15	0	3	9
	Puns. & Shs.	0	17	6																												
		1	0	0																												
Morant-Bay,		0	8	9	5	0	3	9	1	$10\frac{1}{2}$	1	3	0	$7\frac{1}{2}$	1	0	3	9	1	$10\frac{1}{2}$	1	5	0	1	3	1	3	1	3	$1\frac{1}{2}$	1	$10\frac{1}{2}$
Port-Morant,		0	10	0	5	0	3	9	1	$10\frac{1}{2}$	1	$10\frac{1}{2}$	0	$7\frac{1}{2}$	1	0	3	9	1	$10\frac{1}{2}$	1	5	0	1	3	1	3	1	3	$1\frac{1}{2}$	1	$10\frac{1}{2}$
Yallah's Bay,		0	8	9	4	$4\frac{1}{2}$	3	$1\frac{1}{2}$	1	3	0	$7\frac{1}{2}$	0	$7\frac{1}{2}$	1	0	2	6	1	3	1	0	0	1	0	1	3	1	0	0	1	3

CAP. IV.

An act to declare that an act of the English parliament, which passed in the second year (commonly called the first) of the reign of James the first, entitled, "An act for new "executions to be sued against any which shall "hereafter be delivered out of execution by privi- "lege of parliament, and for discharge of them out "of whose custody such person shall be delivered," *is in force in this island.*—[18th December, 1790.]

Preamble.

WHEREAS an act was made in the second (commonly called the first) year of the reign of king James the first, entitled, "An "act for new executions to be sued against any which shall here- "after be delivered out of execution by privilege of parliament, and for "discharge of them out of whose custody such person shall be delivered:" And whereas, notwithstanding the same was made previous to the conquest of this island, and is applicable to the legislative situation and condition thereof, doubts have nevertheless arisen whether the same extends to and is in force here: For avoiding all doubt and trouble which in like cases may hereafter ensue, Be it enacted by the governor, council, and assembly, of this your majesty's island of Jamaica, and it is hereby enacted and ordained by the authority of the same, That the said act doth extend to and is in force in this island, and doth comprehend and apply to attachment, or other process whatsoever, of the court of chancery, or any other court of judicature, against the person, in this island, and ought to be esteemed, introduced, used, accepted, and received, as a law in this island, and shall, and is hereby declared to be; and continue to be, a law of this island for ever: Provided always, That after such time as the privilege of assembly shall cease, the party at or by whose suit the writ of *venditioni*, attachment, or other process affecting the person, was pursued, his attorney, executors, or administrators, may sue forth and execute a new writ or writs of *venditioni*, attachment, or other process affecting the person, as by the law of this island he or they might have done if no such former writ or writs of *venditioni* had been taken forth or served; and that this act, or any thing therein contained, shall not extend, or be construed to extend, to alter or affect the priorities of creditors, according to the writs of execution returned "levied," and the laws of this island.

The above-recited act declared in force in this island.

Plaintiffs, or their representatives, may sue out new writs after privilege of assembly ceases.

Priorities not affected hereby.

CAP. V.

EXPIRED.

An act to revive and continue an act entitled, "*An act for establishing public workhouses in the several parishes in this island.*"—[18th December, 1790.]

CAP.

CAP. VI.

An act to repeal an act entitled "An act for the better aſcertaining and collecting the tranſient tax of the town of Montego-Bay, in the pariſh of St. James;" and for the better carrying the intention of the ſaid laſt-mentioned act into effect.—[18th December, 1790.]

Preamble.

WHEREAS an act entitled, *An act for the better aſcertaining and collecting the tranſient tax of the town of Montego-Bay, in the pariſh of St. James*, has been found to be greatly defective: Be it therefore enacted by the governor, council, and aſſembly, That the ſaid recited act be repealed; and the ſame is hereby totally annulled and repealed.

Repeal of recited act.

II. And whereas tranſient traders, who do not contribute any thing towards defraying the contingencies of the ſaid pariſh of St. James, do frequently import large quantities of goods into the ſaid pariſh, thereby obtaining, very injuriouſly, a manifeſt advantage over the fair traders ſettled and eſtabliſhed there, and paying taxes: May it pleaſe your majeſty that it may be enacted, and be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland, and it is hereby enacted by the authority of the ſame, That all tranſient traders importing and bringing goods into the pariſh of St. James, from and after the firſt day of January, one thouſand ſeven hundred and ninety-one, ſhall be liable to pay a tax (towards defraying the contingencies of the ſaid pariſh, to be levied and collected in manner herein after mentioned) of one pound *per centum* on the original coſts of all ſlaves, goods, wares, and merchandiſe, brought into the ſaid pariſh to be ſold or bartered by the ſaid tranſient traders, through the medium of a vendue-maſter, or any other perſon or perſons, or by any other means diſpoſed of or delivered in the way of trade or barter, or otherwiſe howſoever for profit, including as well ſuch goods as are imported under any previous order, and for which the tranſient trader is intitled to a profit or advance, as alſo all ſuch goods which ſuch tranſient traders may import for a chance of the market, on the account of himſelf, or any other perſon not actually reſident and paying taxes in the ſaid pariſh.

Tranſient traders to pay one *per cent.* on the original coſt of their imports.

III. And, for the better aſcertaining and diſtinguiſhing who are tranſient traders within the meaning of this act, be it further enacted by the authority aforeſaid, That all maſters of veſſels, ſupercargoes, and all other perſons whomſoever, not paying taxes in the ſaid pariſh, who ſhall bring into the ſaid pariſh any ſlaves, goods, wares, and merchandiſe, for ſale or barter, or on commiſſion, or to be delivered and diſpoſed of under any pre-

Perſons not paying taxes in St. James's, who carry goods there for ſale, to be

deemed transient traders.

vious order or agreement, and for which the importer or importers are intitled to receive any advance or profit on the firſt coſt, ſhall be deemed tranſient traders, within the meaning of this act, and ſhall be liable to pay the tranſient tax as herein is before mentioned.

Juſtices, &c. to elect a collector of this tax annually, and ſettle his allowance.

IV. And be it further enacted by the authority aforeſaid, That the juſtices and veſtrymen of the ſaid pariſh ſhall annually elect a fit and proper perſon to be collector of the tranſient tax aforeſaid, in the ſame manner that other parochial officers are uſually elected, and ſhall make to ſuch collector, from time to time, ſuch reaſonable allowance for his trouble, not exceeding ten pounds *per centum* on the ſum actually collected.

His hours of attendance.

V. And be it further enacted by the authority aforeſaid, That the collector ſo to be appointed ſhall keep an office in the town of Montego-Bay, and ſhall attend, or have a proper perſon attending, for tranſacting all buſineſs reſpecting the tranſient tax, from nine of the clock in the forenoon till two in the afternoon, of all ſuch days on which buſineſs is uſually tranſacted at the cuſtom-houſes in this iſland.

Transient traders to attend collector within forty-eight hours after the arrival of goods, and take the following

VI. And be it further enacted by the authority aforeſaid, That all and every ſuch tranſient trader as aforeſaid ſhall, and they are hereby obliged and required to, repair to the office of the collector of the tranſient tax within forty-eight hours after the arrival of any goods, wares, and merchandiſe, ſubject to the tranſient tax, under either of the deſcriptions herein before mentioned, and ſhall take and ſubſcribe the following oath, which the ſaid collector is hereby authorized and required to adminiſter *verbatim* to all ſuch tranſient traders:

Oath;

I, *A. B. do ſwear, that all the ſlaves, gooas, wares, and merchandiſe imported and brought by me, or for me, into the pariſh of St. James, either on my own account, or on account of any other perſon or perſons not reſident and paying taxes in the ſaid pariſh, ſince the firſt day of January one thouſand ſeven hundred and ninety-one, or ſince I laſt gave in on oath at the office of collector of the tranſient tax in* [the ſaid pariſh of] *St. James, which is or can be ſubject to the tranſient tax, do not exceed in value, according to the prime coſts thereof, the ſum of pounds current money of Jamaica; and that I have not, by any colluſive conſignment, or by uſing the name of another, or by any other colluſion or artifice whatſoever, evaded, or attempted to evade, the tax or taxes to which tranſient traders, by the laws of this iſland, are liable:*

as well as pay the monies, or give bond, with security.

And ſuch tranſient trader ſhall forthwith pay over the amount of the tranſient tax on ſuch goods into the hands of the ſaid collector, unleſs the ſame ſhall exceed five pounds, in which caſe ſuch tranſient trader ſhall be at liberty to enter into a bond, with one ſufficient ſecurity, an inhabitant of the ſaid pariſh, for the due payment thereof within thirty days; and for each

each bond the collector aforesaid shall be intitled to the sum of two shillings and six pence from such transient trader, and no more: Provided always, That in case any transient trader, bringing goods into the said parish, shall, within forty-eight hours as aforesaid, repair to the office of the collector of the transient tax as aforesaid, and shall there make due and satisfactory proof, upon oath, that, for the same slaves, goods, and merchandise, he hath already paid a parochial transient tax in some other parish, then, and in such case, such trader shall be relieved therefrom; and that no transient trader shall be liable to pay transient tax upon the same slaves, goods, or merchandise, to more than one parish in this island: And also provided, That in case such transient trader shall have previously consigned his goods to some resident trader, standing assessed for taxes on the parish-rolls, and shall, within forty-eight hours as aforesaid, repair to the office of the collector of the transient tax as aforesaid, and shall take and subscribe the following oath:

They are not to pay for the same imports in any two parishes.

If they consign their cargoes to any inhabitant paying taxes,

I, *A. B. do swear, that I have actually and* bonâ fide *consigned all the goods, wares, and merchandise, imported and brought by me, or for me, into the parish of St. James, since the first day of January one thousand seven hundred and ninety-one, or since I last gave in upon oath at the office of the collector of transient tax in the said parish, which could or might have been liable to transient tax, unto C. D. to whom I have agreed to give, and will allow, the usual and customary commissions that are charged by the merchants of Montego-Bay, on goods consigned to the same place; and that I have not borrowed his name, nor have made, nor will I make, any collusive agreement with the said C. D. or any other person, to evade the payment of the tax or taxes to which, by the laws of this island, transient traders are liable;*

taking this oath,

and also, that the consignee or consignees of such goods do, in corroboration thereof, take and subscribe the following oath; *viz.*

which consignee must corroborate,

I, *C. D. do swear* (or, being a quaker, *do solemnly affirm*) *that A. B. the deponent in the foregoing affidavit named, hath actually and* bonâ fide *consigned unto me, since the first day of January last, divers goods, wares, and merchandise, which I do verily believe to be the whole of the goods, wares, and merchandise, mentioned and alluded to in and by the foregoing affidavit of the said A. B. and that I shall charge, or have received, or expect and intend to receive, the usual commissions on the sales thereof; and that I have not lent my name, nor have not made, nor will I make, any collusive agreement, either to return the said commissions, or by other means, to evade the payment of the tax or taxes to which, by the laws of this island, transient traders are liable;*

by this oath,

then, and in such cases only, the said collector shall remit the whole of the tax, and the transient trader shall not be liable to payment of any taxes to the parish on the said goods so consigned.

collector may remit the transient tax.

VII. And

Collector to administer the oaths *verbatim*.

VII. And be it further enacted by the authority aforeſaid, That the ſaid collector of the tranſient tax is hereby authorized and required to adminiſter the ſeveral oaths herein before mentioned *verbatim*, and in the moſt ſolemn manner.

If tranſient traders do not attend collector, he is to ſummon them;

VIII. And be it further enacted by the authority aforeſaid, That in caſe any ſuch tranſient trader or traders ſhall not, within forty-eight hours, as aforeſaid, repair to the office of the collector of the tranſient tax, and there take ſuch oath as is hereby required, whenſoever, and ſo often as, the ſame ſhall happen, the ſaid collector ſhall cauſe a ſummons or notice, by him ſubſcribed, to be ſerved on ſuch tranſient trader, requiring him to appear at the office of the ſaid collector, at a certain day and hour in the ſaid ſummons to be mentioned, and to comply with the requiſitions in this act contained; and if ſuch tranſient trader ſhall refuſe or neglect to obey ſuch ſummons, then the ſaid collector ſhall give notice thereof to any five of the magiſtrates, veſtrymen, and churchwardens, of the ſaid pariſh of St. James, who ſhall forthwith aſſemble together, and ſhall aſſeſs ſuch tranſient trader according to the beſt information they can procure of the prime coſt of the goods ſubject to the ſaid tax; ſuch aſſeſſment to be in the diſcretion of the magiſtrates, veſtrymen, and churchwardens, but not to exceed double the tax that ſuch tranſient trader would have been ſubject to for ſo much as may come to the knowledge of the ſaid magiſtrates, veſtrymen, and churchwardens, and ſhall make a minute thereof in a book to be kept by the ſaid collector, which minute ſhall be ſigned by the ſaid five aſſeſſors; and the collector ſhall forthwith levy the ſame, by diſtreſs and ſale of any of the goods and chattels of ſuch tranſient trader ſo offending, giving ten days notice of ſuch ſale, by putting up an advertiſement at the court-houſe in the ſaid pariſh: And the ſaid collector ſhall, out of the monies ariſing from ſuch ſale, be intitled to retain, not only the amount of the taxes due, but alſo commiſſions for his trouble, at the rate of one ſhilling for every twenty ſhillings, and alſo all incidental charges and expences: Provided always, That ſuch aſſeſſment ſhall not be made until it appears, upon oath, that ſuch tranſient trader was duly ſerved with the ſaid ſummons twenty-four hours at the leaſt before the time therein mentioned for his attendance.

and if they do not then attend, they are to be aſſeſſed (not exceeding double what they ought to pay), and aſſeſſment levied.

Collector to have commiſſions in ſuch caſes.

Oath muſt be made of tranſient trader having been ſummoned.

If diſtraint cannot be found, they may be fined and impriſoned.

IX. And be it further enacted by the authority aforeſaid, That in caſe the ſaid collector of tranſient tax ſhall not be able to find ſufficient goods and chattels of ſuch tranſient trader, whereon the ſaid tranſient tax may be levied as aforeſaid, then, and in every ſuch caſe, the ſaid collector is hereby required to apply to three magiſtrates of the ſaid pariſh, and produce to them the minute of the aſſeſſment made and ſubſcribed as aforeſaid, and alſo make oath that he the ſaid collector hath not been able to find goods and chattels of the offender whereon to levy; and the ſaid three magiſtrates are hereby authorized and required forthwith to iſſue their warrant, directed to the marſhal or conſtable and conſtables, to apprehend and bring before

before them the ſaid tranſient trader; and, when ſo brought, the ſaid three magiſtrates ſhall, after examination, ſet a fine on the ſaid tranſient trader, according as the degree of contumacy ſhall appear, provided ſuch fine does not exceed twenty pounds over and above the tax aſſeſſed; and the ſaid three magiſtrates ſhall immediately commit the ſaid tranſient trader ſo offending to the common gaol, or other priſon in the pariſh aforeſaid, there to remain cloſely confined, without bail or mainpriſe, until ſuch offender ſhall have paid, not only the amount aſſeſſed on him for tranſient tax as aforeſaid, but alſo the ſaid fine, and all incidental charges and expences; which charges and expences the ſaid magiſtrates are hereby empowered to regulate and allow.

All public taxes laid on transient traders are to be levied by the collector of the parochial transient tax, and in the same manner.

X. And be it further enacted by the authority aforeſaid, That, all and every the public tax and taxes ſet and laid, and hereafter to be ſet and laid, on tranſient traders, making part of the annual and public funds, ſhall and may be levied, aſſeſſed, and collected, from all and every tranſient trader and traders within the ſaid pariſh of St. James, by the collector of the ſaid tranſient tax of the ſaid pariſh, in the ſame way and manner, and ſubject to ſuch regulations and proviſions, as are herein before mentioned and provided in regard to the parochial tranſient tax of the ſaid pariſh herein before mentioned.

Persons who swear falsely are to be punished as those guilty of corrupt perjury in England.

XI. And be it further enacted by the authority aforeſaid, That if any perſon or perſons, who ſhall ſwear to any or either of the oaths hereby required, ſhall be hereafter found to have ſworn falſely, ſuch perſon or perſons ſhall be liable to be tried for wilful and corrupt perjury, at the ſupreme court of judicature, or either of the courts of aſſize in this iſland; and he, ſhe, or they, being thereof convicted, ſhall be puniſhed as perſons guilty of wilful and corrupt perjury are uſually puniſhed under the laws of England.

Magistrates, &c. neglecting their duty herein, to forfeit 20*l.*

XII. And be it further enacted by the authority aforeſaid, That every magiſtrate, churchwarden, and veſtryman, who ſhall refuſe to do what is required of him by this act, ſhall be liable, for every offence, to a fine of twenty pounds; to be recovered in the ſupreme court of judicature of this iſland, by bill, plaint, or information, and to be applied to the uſe of his majeſty, his heirs and ſucceſſors, for and towards the ſupport and government of this iſland: And that every marſhal or conſtable, who ſhall refuſe or wilfully neglect to do his duty as by this act required, ſhall forfeit the ſum of twenty pounds for each offence; to be recovered, in a ſummary way, before any three magiſtrates of the ſaid pariſh; to be paid into the hands of the churchwardens, to the uſe of the poor of the ſaid pariſh.

Churchwardens constituted a body politic for the

XIII. And be it further enacted by the authority aforeſaid, That the churchwardens of the ſaid pariſh, and their ſucceſſors, churchwardens of the ſame for the time being, ſhall be and are hereby made, a body politic and corporate;

purposes of this act. corporate, for the purpoſe of carrying this act the more effectually into execution, and may ſue and be ſued in that capacity: And that all and every perſon and perſons whomſoever, who ſhall or may be ſued for any thing done in purſuance of this act, ſhall be at liberty to plead the general iſſue, and give the ſpecial matter and this act in evidence; and, upon verdict for the defendant, or nonſuit recorded, the defendant ſhall be intitled to have and recover from the plaintiff in ſuch ſuit, over and above the uſual taxed coſts, his full coſts out of purſe, to be taxed by the clerk of the ſupreme court.

General iſſue.

Full costs.

CAP. VII.

EXPIRED. *An act for laying a duty on all wines, and upon brandy, gin, rum, and other diſtilled ſpirits, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of brandy, gin, rum, and other diſtilled ſpirits, and on the public offices; and for applying the ſame to ſeveral uſes.*—[18th December, 1790.]

CAP. VIII.

EXPIRED. *An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes.*—[18th December, 1790.]

CAP. IX.

EXPIRED. *An act for eſtabliſhing and declaring rules and articles of war.*—[18th December, 1790.]

CAP. X.

EXPIRED. *An act to repeal two ſeveral acts of this iſland, one entitled, "An act for appointing commiſſioners for ordering and inſpecting the works in and about the forts, fortifications, and barracks of this iſland;" the other entitled, "An act to add commiſſioners to thoſe already appointed for carrying on the works in and about the forts, fortifications, and barracks of this iſland, and to thoſe already appointed for building, finiſhing, and repairing, the public edifice in St. Jago de la Vega;" and for appointing commiſſioners for forts, fortifications, and public buildings.*—[18th December, 1790.]

CAP.

CAP. XI.

An act for indemnifying such persons as have acted for the service of the public, in advising or carrying into execution his majesty's proclamation, issued by his excellency the governor, dated the sixth day of July, in the present year of our Lord one thousand seven hundred and ninety, laying an embargo on all ships and vessels within the several ports and harbours of this island; and also his majesty's proclamation issued by his excellency the governor, dated the third day of August, in the present year of our Lord one thousand seven hundred and ninety, renewed the fifteenth day of September, and again the twenty-fifth day of October, prohibiting the exportation of all manner of arms and ammunition, naval and military stores; and for preventing suits in consequence of said embargoes; and to enable his excellency Thomas earl of Effingham, captain-general, governor, and commander in chief, or the governor or commander in chief for the time being, to issue his majesty's royal proclamation, in time of war, prohibiting the exportation of all manner of arms and ammunition, naval and military stores, from this island.

[18th December, 1790.]

Preamble.

WHEREAS his excellency the governor, by and with the advice of his majesty's privy-council of this island, did issue a proclamation, bearing date the sixth day of July, in the present year of our Lord one thousand seven hundred and ninety, thereby prohibiting all and every person or persons whatsoever, being owner, commander, or mariner, on board any ship, vessel, or boat whatsoever, from navigating, or attempting to navigate, any ship, vessel, or boat, out of any port, bay, harbour, or creek whatsoever, on the coast of this island, until such time as his excellency's further will and pleasure should be duly signified and made known therein; and did further, by such proclamation, strictly charge and command the several officers commanding his majesty's forts within this island, and all other his majesty's loving subjects, to enforce, as far as in them lay, by all lawful ways and means whatsoever, obedience to the said proclamation; which proclamation was not warranted by law, being issued in time of peace and during pleasure, but was so much for the service of the public, and so necessary for the safety and preservation of this island

and the inhabitants thereof (under apprehenſions of immediate war), that it ought to be juſtified by an act of the legiſlature of this iſland, and all perſons adviſing or acting under, or in obedience to, the ſame, indemnified: And whereas his excellency the governor, by and with the conſent of his majeſty's privy-council of this iſland, did iſſue a proclamation, bearing date the third day of Auguſt, in the preſent year of our Lord one thouſand ſeven hundred and ninety, thereby prohibiting, for ſix weeks from the date thereof, all and every perſon or perſons whatſoever, being owner, commander, or mariner, on board any ſhip, veſſel, or boat whatſoever, from navigating, or attempting to navigate, any ſhip, veſſel, or boat whatſoever, out of any port, bay, harbour, or creek whatſoever, in this iſland, having on board any manner of arms or ammunition, naval or military ſtores, and without a certificate thereof being obtained under the hand of the collector of the cuſtoms or naval officer in this iſland, or any one of their reſpective deputies, under certain pains and penalties; and did further, by ſuch proclamation, ſtrictly charge and command the ſeveral officers commanding his majeſty's forts within this iſland, and all other his majeſty's loving ſubjects, to enforce, as far as in them lay, by all lawful ways and means whatſoever, obedience to the ſaid proclamation: And whereas his excellency the governor, by and with the advice of his majeſty's privy-council in this iſland, did renew the ſaid proclamation by a ſecond proclamation, bearing date the fifteenth day of September, and again by a proclamation bearing date the twenty-fifth day of October, in the preſent year of our Lord one thouſand ſeven hundred and ninety; which ſaid ſeveral proclamations were not warranted by law, but were ſo much for the ſervice of the public, and ſo neceſſary for the ſafety and preſervation of this iſland and the inhabitants thereof, that they ought to be juſtified by an act of the legiſlature of this iſland, and all perſons adviſing or acting under, or in obedience to, the ſame, indemnified: We, therefore, your majeſty's dutiful and loyal ſubjects, the aſſembly of this iſland, do moſt humbly beſeech your majeſty that it may be enacted, and be it enacted by the governor, council, and aſſembly, of the ſaid iſland, and it is hereby enacted and ordained by the authority of the ſame, That all perſonal actions and ſuits, indictments, informations, and all proſecutions and proceedings whatſoever, which have been or ſhall be proſecuted or commenced againſt any perſon or perſons, for or by reaſon of any act, matter, or thing, adviſed, commanded, appointed, or done, in relation to the premiſes, or of any contract or agreement not performed by means of, or in obedience to, ſuch proclamation, be, are, and ſhall be, diſcharged and made void by virtue of this act; and that if any action or ſuit ſhall hereafter be proſecuted or commenced againſt any perſon or perſons, for any ſuch act, matter, or thing, ſo adviſed, commanded, appointed, or done, or ſuch contract or agreement not performed, he, ſhe, or they, may plead the general iſſue, and give this act and the ſpecial matter in evidence; and, if the plaintiff or plaintiffs ſhall become nonſuit, or diſcontinue his, her, or their action or actions, he, ſhe, or they, ſhall pay double coſts.

Suits occaſioned by the above proclamations annulled.

If any be brought, defendant may plead the general iſſue, and recover double coſts.

II. And

II. And whereas it is of great conſequence to the public, that his majeſty's enemies be not ſupplied with arms and ammunition from this iſland: Be it enacted by the authority aforeſaid, That, ſhould hoſtilities take place, his excellency Thomas earl of Effingham, captain-general, governor, and commander in chief, or the captain-general, governor, or commander in chief for the time being, ſhall be enabled, and he is hereby enabled and empowered, from time to time, during the continuance of the war, to iſſue his majeſty's royal proclamation, prohibiting, for ſuch time or times as to him ſhall appear neceſſary and proper, and as the exigency of things may require, the exportation of any manner of arms or ammunition, naval or military ſtores, from this iſland, without a certificate thereof being firſt obtained under the hand of the collector of your majeſty's cuſtoms, naval officer, or any one of their reſpective deputies.

In case of war, commander in chief may issue a proclamation, forbidding the exportation of arms, &c. without a certificate.

III. And be it further enacted by the authority aforeſaid, That the collector of your majeſty's cuſtoms, naval officer, or their deputy or deputies, waiter or waiters, do go on board each and every flag of truce, and every other ſhip or veſſel trading to and from this iſland, and examine and ſee that they do not carry out any arms or ammunition, naval or military ſtores, than what is mentioned in the certificate under the hand of the collector of his majeſty's cuſtoms, naval officer, or any one of their reſpective deputies in this iſland.

Seizing officers to examine that no more stores are carried out than specified in certificates.

IV. And be it further enacted by the authority aforeſaid, That if any more arms or ammunition, naval or military ſtores, in the ſaid certificates as aforeſaid, ſhall be found on board ſuch flag of truce, or other veſſel as aforeſaid, the ſame ſhall be a forfeiture and confiſcation of the veſſel on which the ſame ſhall be found, and of the whole of the cargo on board.

If more found, vessel and all her cargo to be confiscated.

V. And be it further enacted by the authority aforeſaid, That, in ſuch caſe, it ſhall and may be lawful for the collector of the cuſtoms, or naval officer, to proceed againſt any ſuch veſſel and cargo, by information in the ſupreme court of judicature in this iſland, where the ſame ſhall, upon due proof, be condemned; wherein no protection, imparlance, injunction, wager of law, or *non vult ulterius proſequi*, ſhall be entered or allowed.

Such vessels to be condemned in the grand court.

VI. And be it further enacted by the authority aforeſaid, That one moiety of the monies to ariſe from the ſale of ſuch veſſel and cargo ſhall be to the informer, or perſons ſuing for the ſame, and the other moiety ſhall be to the uſe of his majeſty, his heirs, and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

Application of forfeitures.

CAP. XII.

EXPIRED. *An act for laying a duty on tonnage, and applying the same to the use of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majesty, his heirs and successors, for the support of the government of this island; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchase gunpowder, under certain regulations.*—[18th December, 1790.]

CAP. XIII.

EXPIRED. *An act to enable his excellency Thomas earl of Effingham, captain-general, governor, and commander in chief of this island, or the governor or commander in chief for the time being, to issue his majesty's royal proclamation, during the recess of the present assembly, prohibiting the exportation of flour and other provisions from this island, for a limited time.*—[18th December, 1790.]

CAP. XIV.

EXPIRED. *An act to appoint commissioners to inspect the books of the receiver-general, and to settle and adjust the public accounts.*—[18th December, 1790.]

CAP. XV.

REPEALED. *An act to revive and continue an act entitled, "An act for regulating the proceedings of surveyors of land; and for the better regulating and establishing their fees.*—[18th December, 1790.]

CAP. XVI.

EXPIRED. *An act for continuing so much of the present law, commonly called the poll-tax law, as relates to the tax on trades, supercargoes, and masters of vessels, for two months longer.*—[18th December, 1790.]

CAP. XVII.

EXPIRED. *An act to oblige the several inhabitants of this island, to provide themselves with a sufficient number of white men, white women, or white children, or pay certain sums of money in case they shall be deficient, and applying the same to several uses; to protect freeholders on the days of choosing churchwardens and vestrymen; and to ascertain who shall be deemed duly qualified to vote at such elections.*—[5th March, 1791.]

CAP.

CAP. XVIII.

An act to explain and amend an act, entitled, "An act to explain and amend an act entitled 'An act for repealing certain clauses of "An act for repealing an act entitled, 'An act for the better discovering and collecting the arrears of his majesty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due;' and for the better discovering, ascertaining, and collecting, such arrears; and for the more effectual collecting the quit-rents hereafter to become due;" and for the more easy and effectual collecting, as well the arrears of his majesty's quit-rents, as the quit-rents hereafter to become due to his majesty."—[5th March, 1791.]

Preamble.

WHEREAS, by an act of the lieutenant-governor, council, and assembly of this island, passed in the year of our Lord one thousand seven hundred and eighty-nine, entitled, *An act to explain and amend an act entitled, "An act for repealing certain clauses of 'An act for repealing an act entitled, "An act for the better discovering and collecting the arrears of his majesty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due;" and for the better discovering, ascertaining, and collecting, such arrears; and for the more effectual collecting the quit-rents hereafter to become due;' and for the more easy and effectual collecting, as well the arrears of his majesty's quit-rents, as the quit-rents hereafter to become due to his majesty,"* certain provisions have been made for collecting and gathering in the arrears of quit-rents, and the annual quit-rents, in the several parishes of this island, where there might not be found goods, chattels, or slaves, liable to distress, for the non-payment of the said quit-rents and arrears: And whereas the said provisions have been found ineffectual: Be it therefore enacted by the governor, council, and assembly, of this your majesty's island of Jamaica, and it is hereby enacted by the authority of the same, That, from and after the twenty-eighth day of March instant, all persons who own, hold, enjoy, inherit, occupy, or possess, any lands within this island, in their own right or in right of their wives, and all mortgagees in possession, guardians, attornies, agents, trustees, executors, and all other persons in possession of lands within this island in right of others, shall give-in for the same before the justices and vestry of the parish wherein he or they shall actually reside, and where his or their goods, chattels, and slaves, may be; and the clerk of the vestry of such parish shall insert in the roll all such givings-in; which roll, with the

30 Geo. III. cap. 14.

Owners and agents to give-in for lands to the vestry of the parish in which they reside, and where their effects are.

the uſual warrant thereto annexed, and ſigned by any two or more juſtices of the peace of ſuch pariſh, ſhall be directed and delivered to the collecting conſtable of ſuch pariſh for levy; and the clerk of the veſtry ſhall tranſmit to the receiver-general, for the time being, a fair copy of ſuch roll in the uſual manner.

Receiver-general to tranſmit to clerks of veſtries arrearage rolls for quit-rents due.

II. And whereas there are conſiderable ſums of money due for quit-rents, by perſons who have applied at the receiver-general's office for their accounts, in order to adjuſt and ſettle the ſame, but who have omitted or neglected to come to ſuch ſettlement: Be it therefore enacted by the authority aforeſaid, That the receiver-general ſhall, immediately after the firſt day of June next, cauſe to be made out and tranſmitted to the clerks of the veſtries of the ſeveral pariſhes of this iſland, where the lands have been given-in for ſuch quit-rents as are due, arrearage-rolls for all ſums of money appearing to be due and owing by ſuch ſeveral perſons; and the ſaid arrearage-rolls ſhall be delivered, with the uſual warrants thereto annexed, to the collecting conſtables of the ſaid reſpective pariſhes for levy; and they are hereby authorized and directed to collect and gather in, or levy for the ſame, in manner as provided in and by the ſeveral quit-rent laws now in force.

Fifteen *per cent.* diſcount allowed to thoſe who pay previous to June next.

29 Geo. III. cap. 12.

III. And it is hereby further enacted, That all perſons having applied as aforeſaid, who ſhall actually ſettle and pay the ſums reſpectively due by them for quit-rents, as aforeſaid, on or before the firſt day of June next enſuing, ſhall be intitled to the ſame diſcount or allowance granted in and by the *Act*, paſſed in the year of our Lord one thouſand ſeven hundred and eighty-eight, *for repealing certain clauſes of "An act for repealing an act entitled, 'An act for the better diſcovering and collecting the arrears of his majeſty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due;' and for the better diſcovering, aſcertaining, and collecting, ſuch arrears; and for the more effectual collecting the quit-rents hereafter to become due;" and for the more eaſy and effectual collecting, as well the arrears of his majeſty's quit-rents, as the quit-rents hereafter to become due to his majeſty.*

CAP. XIX.

An act to prevent horſe-ſtealing; and for preventing the ſtealing and deſtroying of ſheep, goats, and other cattle.

[5th March, 1791.]

Preamble.

WHEREAS, through moſt pariſhes of this iſland, the ſtealing of horſes, mares, mules, aſſes, and neat cattle, is grown ſo common, that ſtock of every kind cannot be kept in ſafety, and which is generally occaſioned by the ready ſelling or exchanging the ſame in places far diſtant from the owner, and with ſuch ſpeed as the owner cannot by purſuit poſſibly prevent the ſame: And whereas divers evil-diſpoſed perſons

ſons have of late very frequently made it their practices ſecretly, in the night-time, to drive away and ſteal great number of ſheep, lambs, goats, and kids, and ſecretly to kill the ſame, and then cut up and ſteal, and carry away, the carcaſſes of ſuch ſheep, lambs, goats, and kids; by which evil practices many of his majeſty's good ſubjects have been greatly injured in their properties: And whereas the laws in being have not proved effectual to prevent the increaſe of the ſaid evil practices: May it pleaſe your moſt excellent majeſty that it may be enacted; Be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That if any perſon or perſons whatſoever ſhall or do, at any time from and after the paſſing of this act, felonioufly ſteal any horſe, gelding, mare, foal, colt, filly, aſs, mule, bull, cow, ox, ſteer, bullock, heifer, or calf, of any other perſon or perſons whatſoever, with a felonious intent to ſteal the whole carcaſs or carcaſſes, or any part or parts of the carcaſs or carcaſſes, he, ſhe, or they, being convicted thereof, ſhall ſuffer death without benefit of clergy: And in caſe any perſon ſhall hereafter take off the horns, or pare or raſp the ſame, with an intent to diſguiſe the age or deface the marks thereon, with an intent to ſteal, and ſhall not actually take and carry away the ſame, he, ſhe, or they, being convicted thereof, ſhall ſuffer ſix months impriſonment for the firſt offence, twelve months for the ſecond, and for the third, ſhall ſuffer death, without benefit of clergy.

Perſons ſtealing any cattle, to ſuffer death.

Thoſe who deface marks with intent to ſteal, to be imprisoned ſix months for firſt offence, twelve for ſecond, and ſuffer death for third.

II. And be it further enacted by the authority aforeſaid, That if any perſon or perſons ſhall, from and after the paſſing of this act, felonioufly drive away, or in any other manner felonioufly ſteal, one or more ſheep, lamb, goat, or kid, of any other perſon or perſons whatſoever, with a felonious intent to ſteal the whole carcaſs or carcaſſes, or any part or parts of the carcaſs or carcaſſes of any one or more ſheep, lamb, goat, or kid, that ſhall be ſo killed, or ſhall aſſiſt or aid any perſon or perſons to commit any ſuch offence or offences, that then the perſon or perſons guilty of any ſuch offence, being thereof convicted in due form of law, ſhall be adjudged guilty of felony, and ſhall ſuffer ſuch puniſhment as the court in their diſcretion ſhall think proper to inflict.

Perſons convicted of ſtealing ſheep, goats, &c. to be adjudged felons.

CAP. XX.

An act for the eaſe and relief of jurors and ſuitors of the ſupreme and certain other courts within this iſland—[5th March, 1791.]

EXPIRED.

CAP. XXI.

An act to repeal the ſeveral acts therein mentioned; and for conſolidating into one act all the laws relating to the highways.—[5th March, 1791.]

REPEALED.

CAP.

CAP. XXII.

An act to repeal an act, passed the eighteenth day of December last, entitled, "An act to revive and continue an act entitled, 'An act for regulating the proceedings of surveyors of land; and for the better regulating and establishing their fees;" and for regulating the proceedings of surveyors of land; and for the better regulating and establishing their fees.—[5th March, 1791.]

Preamble.

WHEREAS the ſeveral acts hitherto made for regulating the proceedings of ſurveyors of land, and for eſtabliſhing their fees, have been found inſufficient, as many exorbitant charges have been introduced in ſuch ſurveyors' bills, contrary to the true intent and meaning of thoſe laws: For remedy whereof, We, your majeſty's dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, do moſt humbly beſeech your majeſty that it may be enacted; be it therefore enacted by the governor, council, and aſſembly, of your ſaid iſland, and it is hereby enacted and ordained by the authority of the ſame, That, upon all writs of view or orders of court hereafter to be executed, the ſurveyors of land concerned in executing the ſame ſhall, in every diagram or ſcheme of the lands in queſtion, or thoſe adjacent, which they ſhall return with ſuch writs or orders, or lay before the court and jury, truly and faithfully lay down and deſcribe all old-marked lines, and fixed or known and reputed boundaries on earth, on the lands compriſed within the ſaid ſchemes or diagrams, and alſo all ſuch lines as ſhall have been fixed by any former writs of view or orders of court, which they know, or ſhall have been informed of; and, in the margins of ſuch diagrams or ſchemes, ſhall be inſerted all the field-notes and remarks made by ſuch ſurveyors, of all and every part of the work performed and delineated in ſuch diagrams or ſchemes, under the penalty of one hundred pounds for every ſuch offence.

On writs of view, &c. ſurveyors faithfully to delineate known or reputed boundaries, inſert field-notes, &c. under penalty of 100*l.*

II. And be it further enacted by the authority aforeſaid, That when any ſurveyor of land intends to ſurvey or re-ſurvey lands, either by writs of view, orders of court, or by the employment of any private perſon or perſons, ſuch ſurveyor ſhall give ten days notice, in writing, at the leaſt, of ſuch his intention; and in ſuch notice he ſhall particularly expreſs what particular run of land of the neighbouring proprietor or proprietors (to whom, his, her, or their executor, guardian, or attorney, or his, her, or their manager, or overſeer, perſonally, notice is to be given) he intends to run upon, by what authority, or by whom employed, and which of the lines of ſuch run of land, the particular corner, the courſe intended, the day and hour of the day he purpoſes

Surveyor intending to ſurvey must give ten days notice, ſpecifying particulars; and not vary from the appointed courſe, under penalty of 100*l.*

purpoſes to begin to run the ſaid lines; from which corner, and on which courſe only, he ſhall proceed, under the penalty of one hundred pounds for every offence: And in caſe ſuch ſurveyor or ſurveyors do not begin to run the lands agreeable to the time he or they ſhall expreſs in ſuch notice, he or they ſhall be obliged to give new notices, in manner and form aforeſaid, before he or they ſhall begin the ſaid work, otherwiſe all the buſineſs done by them ſhall be void.

If he does not run at the appointed time, he must give fresh notice.

III. And whereas, by an act of this iſland, entitled, *An act for the further quieting poſſeſſions, and regulating re-ſurveys*, it is enacted, That if it ſhall happen that any perſon, by miſtake of ſurveyors or otherwiſe, hath ſettled, or ſhall hereafter ſettle, upon land belonging to his majeſty, his heirs and ſucceſſors, and the ſame ſhall be found to be ſo, yet ſuch perſon that ſhall be ſo ſettled ſhall be preferred to all other perſon or perſons, and intitled to a patent for the ſame to him, her, or them, and his, her, or their heirs, paying the uſual fees only; provided he, ſhe, or they, apply for ſuch patent, and pay the quit-rents, annually reſerved, for ſuch time as they have been poſſeſſed thereof, as aforeſaid; and, until ſuch patent ſhould paſs the ſeal, ſuch perſon, or his, her, or their heirs or aſſigns, ſhould continue in quiet and peaceable poſſeſſion of the ſaid land; yet, notwithſtanding the ſaid law, ſome evil-minded ſurveyors, for their own lucre, and in order to create law-ſuits, and diſturb the quiet and peaceable poſſeſſion of ſeveral of your majeſty's ſubjects, have clandeſtinely given plats of the ſame lands which have by ſuch miſtakes been actually ſettled, and in poſſeſſion of ſuch ſettlers, and their heirs and aſſigns, time immemorial, to the great diſcouragement of the ſettling this iſland: Be it therefore enacted by the authority aforeſaid, That, from and after the paſſing of this act, if any ſurveyor ſhall preſume to run out any land which hath been ſo ſettled upon as aforeſaid, or ſhall deliver any plat of the ſaid land to any perſon whatſoever, except to the perſon in poſſeſſion of the ſaid land, in order to be annexed to any grant or patent of or for the ſaid land, every ſuch patent ſo obtained ſhall be null and void; and ſuch ſurveyor ſo offending ſhall, for every ſuch offence, forfeit the ſum of five hundred pounds, and ſhall, upon conviction thereof in the ſupreme court of judicature of this iſland, ſuffer ſix months impriſonment, without bail or mainpriſe, and be rendered incapable of ever acting again as a ſurveyor of land.

4 Geo. II. cap. 4. Recital of part of clause 7.

Penalty on surveyors running settled lands, except for the proprietors.

IV. And be it further enacted by the authority aforeſaid, That no poſſeſſion of any land whatſoever, obtained by virtue of any ſurvey or re-ſurvey, ſhall be deemed good and valid, unleſs the perſon or perſons neceſſary to be ſerved with notices, as by this law is directed, or ſome perſon or perſons by him, her, or them, appointed for that purpoſe, be preſent at the running of ſuch lines, except an affidavit be made of ſuch notice having been duly given; which notice ſhall be annexed to the ſcheme or diagram of ſuch ſurvey or re-ſurvey, and in which affidavit ſhall alſo be ſet forth the

Surveys not valid, unless proof adduced of necessary notices having been served.

Notice to be annexed to diagram.

ſurveyor of land having proceeded from the particular corner or point in ſuch notice mentioned.

If ſurveyors deface or deſtroy lines fixed by a judgment, they forfeit 500*l.*

V. And be it further enacted by the authority aforeſaid, That in all caſes where writs of view or orders of court have been executed, and the lines upon earth in diſpute fixed by a judgment, no ſurveyor of land do preſume to deface, deſtroy, or remove, ſuch lines, or any land-mark thereon, under the penalty of five hundred pounds.

and if they return plats, covered by prior plats, they are to be liable to damages.

VI. And be it further enacted by the authority aforeſaid, That if any ſurveyor of land ſhall return any plat of land by virtue of any order for king's land, which ſhall afterwards be found to be covered by prior plats, ſuch ſurveyor of land ſhall be liable for the damages ſuſtained by the perſon or perſons ſettling on the ſame; unleſs the land ſo returned was ſhewn or pointed out unto him by the patentee thereof, and the return made by his expreſs deſire.

Surveyors to annex an affidavit to returns, under penalty of 500*l.*

VII. And be it further enacted by the authority aforeſaid, That, to all returns made by any ſurveyor to orders for king's land, there ſhall be annexed an affidavit, made by ſuch ſurveyor, that he hath actually and *bonâ fide*, according to the beſt of his ſkill and judgment, ſurveyed and marked the outlines of ſuch land, and that the field-notes thereunto annexed are true, under the penalty of five hundred pounds.

Surveyors fees on executing writs of view, &c.

VIII. And whereas ſurveyors of land, upon executing writs of view, are obliged to make ſlips, reduce plats, make ſchemes or diagrams to lay before the court, and give attendance on the trial of ejectments: Be it enacted by the authority aforeſaid, That the following fees be allowed the ſaid ſurveyors of land, as well for executing writs of view and orders of court, as for other work they ſhall do; *to wit*, For reducing or extending, ſlipping, and fixing, each plat, two ſhillings and ſix pence, and alſo all monies that he ſhall neceſſarily expend for plats in the public offices; for a ſcheme or diagram with the field-notes, to be laid before the court, five pounds; for a ſcheme or diagram for the jury, five pounds; for attending the court (if required to attend by either party, and not otherwiſe), ten ſhillings *per diem*; for ſurveying lots of land in any of the towns, bays, or harbours, each lot one pound ten ſhillings; for ſurveying any ſmall piece or parcel of land under one hundred and forty acres, two pounds ten ſhillings; if more than one piece, one pound ſeventeen ſhillings and ſix pence each; for any ſingle piece or parcel of land above one hundred and forty acres, three pounds; if more than one piece, two pounds each.

No charge to be made *per* acre;

IX. And be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, no charge ſhall be made by any ſurveyor of any ſum or ſums of money *per* acre, for the contents or number of acres contained

contained in any diagram of lands ſurveyed or re-ſurveyed; nor ſhall any ſum or ſums of money be allowed by any of the judges of the ſupreme court of judicature, in the taxation of any ſuch ſurveyor's bill on account thereof, except only for what is herein before particularly mentioned: For running land *per* acre or by the piece, for traverſing roads, open river-courſes, or open grounds, four pence *per* chain; for traverſing all old lines, river-courſes, or gullies in wood-lands, ſix pence *per* chain; for protracting, one penny *per* chain; for writing and ſerving notices, two ſhillings and ſix pence each; for making ſurveys of plantations or ſettlements, *to wit*, for every cane-piece, graſs-piece, paſture, or incloſure, five ſhillings; for running round the outlines in wood-land, ſix pence *per* chain; and for making a fair plan or diagram, if not above twenty plats, two pounds ten ſhillings; from twenty to thirty plats, three pounds fifteen ſhillings; from thirty to forty plats, five pounds; if above forty plats, two ſhillings and ſix pence for each plat contained in ſuch diagram: And, in all writs of view or orders of court, hereafter to be executed, the ſurveyors of land executing the ſame ſhall not preſume to charge by the acre for ſurveying any more than the lands contained within the lines of the plaintiff's and defendant's lands in diſpute, under the penalty of five hundred pounds for every offence.

nor other demands than as above allowed by the court.

If ſurveyors overcharge on writs of view, &c. they forfeit 500*l.*

X. And be it further enacted by the authority aforeſaid, That when any ſurveyor of land is employed to ſurvey or re-ſurvey lands, not by virtue of a writ of view, he ſhall be allowed one ſhilling and ſix pence *per* mile, for mile-money, from the place of his abode to the place where the lands are, and ſhall be allowed ten ſhillings *per* day for every day he ſhall be delayed, if it ſhall happen through the means of the perſon who employs him, but not for the days included in the notices ſerved on the neighbouring proprietors; and ſuch ſurveyor ſhall not charge for ſurveying any more lands than are contained within the lines of the perſon who employed him.

Allowance to be made them when ſurveying, not by writ of view.

XI. And whereas many diſputes and tedious expenſive law-ſuits have ariſen, to the great prejudice of your majeſty's ſubjects in this iſland, through the incapacity and ignorance of perſons preſuming to act as ſurveyors of land: For prevention whereof in future, Be it enacted by the authority aforeſaid, That no perſon whatſoever ſhall hereafter be appointed to act as a ſurveyor of land in this iſland, until he hath duly ſerved ſome ſworn ſurveyor as an apprentice for at leaſt five years in this iſland, or hath been a ſworn ſurveyor in Great-Britain or Ireland, or ſome other part of his majeſty's dominions, and hath undergone an examination, by and before three ſworn ſurveyors of land (to be nominated and appointed by the ſupreme court of judicature of this iſland), as to his qualification; which three ſworn ſurveyors of land, or any two of them, ſhall certify the ſame upon oath, in the form following; *to wit*,

No perſon to be a ſurveyor who has not ſerved here five years, or been admitted in the British dominions, and procured a certificate.

JAMAICA, ss.

Form of the certificate.

WE, *whose names are hereunto subscribed, being sworn surveyors of land in this island, do hereby certify on our oaths, respectively, that we have examined A. B. touching his qualification to act as a lawful surveyor of land in this island, and do find that the said A. B. hath a sufficient knowledge of the theory and practice of surveying, to qualify him to act as a surveyor of land. Sworn this day of 179 before me.*

which must be sworn to by the surveyors who examined him.

which affidavit or certificate shall be sworn to by the said three surveyors of land, or any two of them, before any one justice of the peace of this island, and produced to the governor or commander in chief for the time being, by the party applying for a warrant or commission to act as a surveyor of land, before he shall obtain such warrant or commission: And that all and every person presuming to act as a surveyor of land, without having served such apprenticeship, or having been a sworn surveyor in Great-Britain or Ireland, or some other part of his majesty's dominions, and without passing such examination, in manner and form as aforementioned, shall forfeit the sum of one hundred pounds, and be rendered incapable of ever acting as a lawful surveyor in this island.

If they practise otherwise, they forfeit 100*l.* and must never act.

Surveyors bills, on writs of view, &c. not to be taxed till they have taken the following oath;

XII. And be it further enacted by the authority aforesaid, That no judge of the supreme court shall presume to tax the bill of any surveyor of land, for any work done on any writ of view or order of court, unless the surveyor performing the same shall first take and subscribe the following oath before him; *to wit,*

I, *A. B. do swear, that all and every the traverses, and other work, charged in the above account, hath been by me truly and faithfully made, done, and performed, in the above cause; and that the same, and every part thereof, was proper and necessary to be done, to determine the boundaries of the land of which were in dispute at the time of doing the said work; and that there are no charges in the said account but what are allowed by an act of this island, entitled, "An act for regulating the proceedings of surveyors of land, and for the better regulating and establishing their fees." So help me God;*

which is to be annexed *verbatim* to the account. They must also exhibit and explain diagrams.

which oath any judge of the supreme court is hereby empowered and required to administer; and the said oath shall be inserted, in the form hereby appointed, at the foot of the said account, otherwise such taxation shall not be taken and received as a fair and just taxation; and the said surveyor, at the time of so producing his account to the judge, shall also exhibit his diagram, and explain to the judge the foundation of the several charges by him made in his said account: Provided, That in all cases of ejectment, upon the taxation of any surveyor or surveyors bill or bills, such bill or bills shall not exceed the amount of one hundred and fifty pounds for the field-work, including all necessary traverses of roads, river-courses, or otherwise tracing

In cases of ejectment, their bills must not exceed 150*l.*

of

of old lines, or other work as ſurveyor, to aſcertain the land in diſpute, or for making a fair repreſentation of the claim of the party or parties, for protracting the field-notes, or for the ſcheme or diagram to be delivered to the parties; any thing to the contrary herein notwithſtanding.

XIII. And be it further enacted by the authority aforeſaid, That ſuch taxation in manner and form aforeſaid, ſhall be deemed concluſive evidence, and that the ſaid ſurveyors or ſurveyor may recover the ſame by an action to be brought thereon, and for his other fees, as given by this act, againſt the perſon or perſons directed by this act to pay the ſame: And in caſe any ſurveyor of land ſhall, on any pretence whatſoever, preſume to aſk, take, demand, or receive, any greater or other fees, ſum or ſums of money, or other reward, ſave what is herein before preſcribed, every ſuch ſurveyor ſo aſking, taking, demanding, or receiving, ſhall, for every ſuch offence, forfeit the ſum of one hundred pounds, and be incapacitated to act as a lawful ſurveyor of land in future: Provided always nevertheleſs, and it is the true intent and meaning of this act, That, before any ſuch judge ſhall tax any ſurveyors bill by virtue of this act, notice ſhall be iſſued and ſigned by ſuch judge, to ſummon the perſon or perſons who ſhall be ſubject to pay the amount of ſuch taxed bill, his, her, or their attorney or attornies, to be and appear before ſuch judge, at the place and on the day by him appointed for ſuch taxation; which notice ſhall be duly ſerved, and oath made of ſuch ſervice, before ſuch judge ſhall proceed to the taxation of ſuch bill.

Taxation of ſurveyors bills to be evidence, and they may bring actions thereon. If they take more fees than herein allowed, they forfeit 100*l.* and are incapacitated.

Notice to be given of the time of taxing their bills.

XIV. And be it further enacted by the authority aforeſaid, That if any ſurveyor or other perſon, making any oath or affidavit required by this act, ſhall ſwear falſely, ſuch ſurveyor, or other perſon, ſhall be deemed guilty of wilful and corrupt perjury, and, upon conviction, ſhall ſuffer ſuch pains and penalties as are inflicted upon ſuch offender or offenders by the laws of England, or of this iſland.

Puniſhment of ſurveyors and others guilty of ſwearing falſely.

XV. And be it further enacted by the authority aforeſaid, That in any ejectment hereafter to be brought, or in any ejectment now depending, wherein a ſurveyor has not been appointed, or where a ſurveyor appointed ſhall die or be removed, upon the agreement of the parties, one ſurveyor ſhall be appointed, upon motion to the court, according to their joint nomination; and if the parties ſhall not agree herein, two ſurveyors ſhall be appointed by the court, one at the nomination of each party making application to the court for that purpoſe.

Mode of nominating ſurveyors in caſes of ejectment.

XVI. And be it further enacted, That the ſurveyor or ſurveyors ſo appointed ſhall thereupon take and ſubſcribe the following oath (the title of the cauſe being ſuperſcribed):

Such ſurveyors to take the following

I, *A. B.*

oath. I, *A. B. do ſwear, that I will truly and faithfully make the neceſſary traverſes of the land in diſpute in this preſent ejectment, and that I will make a juſt and impartial repreſentation thereof in the diagram by me to be ſigned, according to the lines of poſſeſſion reſpectively claimed by the parties.*

Plaintiff's ſurveyor to give ten days notice to defendant's, who is to attend at appointed time and place.

Plaintiff's to make the traverſes, and the other to traverſe lines claimed by defendant, and both make and communicate field-notes.

If they act otherwiſe, they forfeit 100*l.* and ſurvey becomes null.

XVII. And be it further enacted, That the ſurveyor of the plaintiff ſhall give ten days notice to the ſurveyor of the defendant, of his intention to traverſe the line or lines in diſpute, and therein point out preciſely the hour and place of meeting; and thereupon the ſurveyor appointed by the defendant ſhall attend at ſuch hour and place, and both ſhall proceed together upon their ſaid work, the ſurveyor of the plaintiff making the traverſe, and both ſhall make field-notes, and mutually communicate to each other each his field-notes; and when the plaintiff's ſurveyor ſhall have finiſhed the traverſes on the part of the plaintiff, the defendant's ſurveyor ſhall then make the neceſſary traverſes of the line or lines of poſſeſſion claimed by the defendant, giving notice thereof in a reaſonable time, and fixing the place of meeting, and being attended by the plaintiff's ſurveyor, as aforeſaid, and both ſuch ſurveyors ſhall make and communicate the field-notes to each other in like manner: And in caſe any ſurveyor ſhall proceed otherwiſe than as above, he ſhall forfeit the ſum of one hundred pounds, his neceſſary attendance not being prevented by ſickneſs or other reaſonable excuſe; and that any line or lines otherwiſe traverſed than as aforeſaid ſhall be of no effect.

Surveyors to make, ſign, and deliver diagrams for court and jury,

and deliver diagrams to parties thirty days before trial.

XVIII. And be it further enacted by the authority aforeſaid, That if there be but one ſurveyor, the diagram to be exhibited to the court and jury ſhall be ſigned by him, and two copies thereof made and ſigned, one for the court, the other for the jury; and in caſe there be two ſurveyors, then that the ſaid diagram ſhall be made out by the ſurveyor appointed by the plaintiff, and taken from the field-notes made by himſelf and the ſurveyor of the defendant, in the preſence of each other, and mutually communicated as aforeſaid; and that ſuch diagram ſhall be ſigned by the two ſurveyors ſo appointed as aforeſaid: *Provided*, That, in both caſes, the ſaid diagram ſhall be delivered to the parties by the ſurveyor ſolely appointed, or the ſurveyor appointed by the plaintiff ſhall deliver a copy thereof to both parties, at leaſt thirty days before the trial of the cauſe.

Surveyors bills to be paid by party loſing,

or by applicant for a new trial.

XIX. And be it further enacted by the authority aforeſaid, That the bill or bills of ſuch ſurveyor, or of both ſurveyors, to be taxed as aforeſaid, ſhall be paid by the party in every ſuch ejectment againſt whom judgment ſhall be given, or who ſhall diſcontinue the action, or be non-ſuited; and in caſe of a new trial being granted, ſuch taxed bill or bills ſhall be paid by the party applying for ſuch new trial, the adverſe party giving good and ſufficient ſecurity, to be approved of by the judges of the court, to refund ſuch ſum or ſums, if the verdict ſhall be given for the party applying for ſuch new trial.

XX. And

XX. And be it further enacted by the authority aforesaid, That all penalties in this act mentioned shall be recovered in the supreme court of judicature or courts of assize in this island, by action of debt, bill, plaint, or information, wherein no essoin, wager of law, or injunction, shall be granted, or *non vult ulterius prosequi* be entered or allowed; and the same shall be to the use of the party aggrieved, or that sue for the same. Penalties how to be recovered and applied.

XXI. And be it further enacted by the authority aforesaid, That, from and after the passing this act, an act entitled, *An act to revive and continue an act entitled,* "*An act for regulating the proceedings of surveyors of land; and for the better regulating and establishing their fees,*" shall be repealed and made void, to all intents and purposes; any thing in this or any other act to the contrary in anywise notwithstanding. Repeal of act here recited.

CAP. XXIII.

An act to explain and amend an act entitled, "*An act for the further relief of insolvent debtors, imprisoned for debt.*"—[5th March, 1791.] EXPIRED.

CAP. XXIV.

An act to alter, amend, and explain, the eighth [now the sixth] *clause of an act of the governor, council, and assembly of this island, entitled,* "*An act for establishing courts, and directing the marshal's proceedings.*"

[5th March, 1791.]

WHEREAS, in and by the eighth [*now the sixth*] clause of an act of the governor, council, and assembly of this island, passed in the year of our Lord one thousand six hundred and eighty-one, entitled, *An act for establishing courts, and directing the marshal's proceedings*, it is enacted, That no suit be had, or process taken out of the supreme court of judicature, for any mattter or cause of action under the value of twenty pounds current money of this island, upon penalty of twenty pounds of like money, to be paid by the plaintiff in the said action; but that the same be tried in the courts of the precincts where such cause of action doth arise, provided that both parties reside there; and that the inhabitants and residents in St. Catherine's, St. Dorothy's, St. Thomas in the Vale, and St. John's, sue as formerly in the supreme court, for any sum whatsoever, until they shall have petty courts in their own parishes: And whereas monies and effects levied on writs of *venditioni exponas*, or other writs of execution issued out of the several petty or inferior courts of common pleas in this island, are not subject to priority, but are paid and applied in discharge of the several writs so issued out of the said petty or inferior courts of common pleas: And whereas the inhabitants and persons resident in the said several parishes of St. Catherine, St. Dorothy, St. Thomas Preamble.

33 Car. II. cap. 23.

Recital of *part of clause 6, of the above act.*

mas in the Vale, and St. John, having no petty or inferior court of common pleas within their ſaid pariſhes, are obliged to ſue in the ſupreme court of judicature for ſums under twenty pounds current money of this iſland, and the goods and effects levied on writs of *venditioni exponas*, or other writs of execution in ſuch actions, are applied in the courſe of priority; to the great detriment of the ſaid inhabitants and reſidents in the ſaid pariſhes: For remedy whereof, May it pleaſe your moſt excellent majeſty that it may be enacted, and be it therefore enacted by the governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That, from and after the paſſing of this act, the provoſt-marſhal-general of this iſland for the time being do and ſhall, and he is hereby authorized, empowered, and directed to, pay and apply the monies, goods, and effects, levied on any writ or writs of *venditioni exponas*, or other writ or writs of execution, in any action to be commenced in the ſupreme court of judicature in this iſland, where the parties, plaintiffs, and defendants, are inhabitants and reſidents in the ſaid pariſhes of St. Catherine, St. Dorothy, St. Thomas in the Vale, and St. John, and the debt or damages recovered in ſuch actions do not exceed the ſum of twenty pounds current money of this iſland, to the plaintiff or plaintiffs in ſuch action or actions, or other perſon or perſons intitled to receive the ſame, in payment and diſcharge only of the reſpective writ or writs of *venditioni exponas*, or other writ or writs of execution iſſued in ſuch action or actions; and that the ſaid debt or damages in ſuch action or actions ſhall not, as heretofore, be paid and applied in a courſe of priority; any law, uſage, or cuſtom, to the contrary thereof in anywiſe notwithſtanding.

Provoſt-marſhal to apply levies, in matters between inhabitants of St. Catherine's precinct, and for ſums not exceeding 20*l.* to the reſpective writs, without regard to priority.

CAP. XXV.

EXPIRED. *An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports, and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.*—[5th March, 1791.]

CAP. XXVI.

EXPIRED. *An act for the more ſpeedy collection of the public taxes, and the arrears thereof now due.*—[5th March, 1791.]

Anno

Anno regni Georgii tertii triceſimo ſecundo.

CAP. I.

An act for granting an additional ſalary to his honour Adam Williamſon, eſquire, lieutenant-governor and commander in chief, during his adminiſtration.—[9th December, 1791.] EXPIRED.

CAP. II.

An act to explain, amend, and render more effectual, "An act to augment the ſalary of his excellency George Haldane, eſquire; and for providing certain lands and premiſes to be annexed to the government, for the uſe of the governor for the time being.—[9th December, 1791.] EXPIRED.

CAP. III.

An act for appointing Stephen Fuller, eſquire, agent in Great-Britain, to ſolicit the paſſing of laws, and for tranſacting in Great-Britain other public affairs of this iſland; and for empowering the members of his majeſty's council, the ſpeaker and the members of the aſſembly, for the time being, reſident in this iſland, from time to time, as occaſion ſhall require, to give inſtructions for ſuch his management.—[9th December, 1791.] EXPIRED.

CAP. IV.

An act to repeal "An act for the better order and government of the negroes belonging to the ſeveral negro-towns, and for preventing them from purchaſing of ſlaves; and for encouraging the ſaid negroes to go in purſuit of runaway ſlaves; and for other purpoſes therein mentioned;" and for giving the maroon negroes further protection and ſecurity; for altering the mode of trial; and for other purpoſes.—[9th December, 1791.]

WHEREAS an act of the governor, council, and aſſembly, of this iſland, entitled, *An act for the better order and government of the negroes belonging to the ſeveral negro-towns, and for preventing them from purchaſing of ſlaves; and for encouraging the ſaid negroes to go in purſuit of runaway ſlaves; and for other purpoſes therein mentioned,* Preamble.

mentioned, is found to be insufficient, and not to answer the purposes thereby intended: We, therefore, your majesty's dutiful and loyal subjects, the assembly of this your majesty's island of Jamaica, do most humbly beseech your majesty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and assembly, of this your said island of Jamaica, and it is hereby enacted and ordained by the authority of the same, That the said herein before-mentioned act be, and the same is hereby, repealed, annulled, and made void, to all intents and purposes; any thing in the said herein before-mentioned act to the contrary thereof in anywise notwithstanding.

Repeal of recited act.

II. And whereas disorders frequently happen among the maroon negroes, for want of authority in the superintendent, and in the chief or other commanding officers of the said negroes, and because they are not vested with legal power to punish them; and it being necessary, for the retaining those negroes in their duty and obedience, that an exact discipline should be observed, that all disorders, tumults, and disturbances, among them may be suppressed on their first appearance, and the authors and abettors of them be brought to speedy punishment: Be it enacted by the authority aforesaid, That, from and after the passing of this act, every negro, resident in or belonging to any of the maroon negro-towns, who shall disobey the governor's orders, or the orders of the commander in chief for the time being, or excite others to do the same, or who shall disobey the orders of the superintendent, and the chief or commanding negro officers under him, or excite others to do the same, or shall excite, cause, or join, in any disorder, tumult, or disturbance, tending to break the peace and good order of the said towns, or any of them, or who shall depart therefrom without leave of the superintendent or his assistant, in writing, or who, having had leave, shall continue absent therefrom without sufficient cause after the expiration of such leave, shall be tried for such offences by the superintendent and four negro officers of the said town (of whom the negro commanding officer shall be one), in a court to be held by the said superintendent and negro officers, and, being found guilty thereof, shall suffer such punishment as by them shall be adjudged to be inflicted on the offender or offenders, such punishments not extending to life, limb, or transportation.

If maroons are disobedient, excite or join in tumults, depart without leave, or stay out longer than permitted, they are to be tried and punished by superintendent and negro officers.

III. And be it further enacted by the authority aforesaid, That the governor or commander in chief for the time being shall, by virtue of this act, have full power and authority to grant a general commission to the superintendent, residing in or belonging to each of the negro-towns, for calling and holding such courts, in order to try and punish such offender or offenders as aforesaid: And the said superintendent is hereby directed to report the proceedings of such courts-martial to the governor or commanding officer for the time being, within thirty days thereafter, under a penalty of twenty pounds for each neglect.

Governor to grant a general commission to superintendents to hold courts.

They are to report proceedings to him.

IV. And

IV. And whereas it may happen that the ſuperintendent and negro officers of the maroon-towns ſhall neglect their duty therein, or be guilty of improper favour or partiality towards the offender or offenders to be tried and puniſhed by them: Be it further enacted by the authority aforeſaid, That the commander in chief for the time being ſhall alſo, by virtue of this act, have full power and authority to cauſe ſuch ſuperintendent and negro officers to be tried for ſuch neglect or partiality by a court-martial, to be appointed by him the ſaid commander in chief, in any manner he may think proper, and whenever he may ſee occaſion for the ſame: Provided nevertheleſs, That the puniſhment to be inflicted in conſequence of the ſentence of ſuch court-martial ſhall not extend further than to impriſonment for ſix months, or loſs of commiſſion.

If superintendents or negro officers are neglectful or partial, they are to be tried by a court-martial.

V. And whereas it is neceſſary to declare how and in what manner maroon negroes ſhall be tried for any crimes which they may hereafter commit: Be it enacted by the authority aforeſaid, That, from and after the paſſing of this act, upon complaint made, on oath, to any juſtice of the peace, of any felony, burglary, robbery, burning of houſes or cane-pieces, rebellious conſpiracies, compaſſing or imagining the death of any white perſon or perſons, enticing away or harbouring any runaway ſlaves, treſpaſſes, or aſſaults, or any other offence whatſoever committed by any maroon negro or negroes, ſuch juſtice ſhall iſſue out his warrant for apprehending ſuch offender or offenders, and for all perſons to be brought before him, or any other juſtice of the peace, that can give evidence; and the evidence of ſlaves againſt maroon negroes, in this and all other caſes, ſhall be received; and if, upon examination, it appears to the juſtice before whom the ſame is taken, that there are good grounds for bringing to a public trial the maroon negro or negroes ſo apprehended, ſuch juſtice ſhall thereupon iſſue his warrant for committing him, her, or them, to priſon, unleſs the offence be bailable, and good and ſufficient ſecurity be given before ſuch juſtice for the appearance of ſuch maroon negro or negroes at the place where the quarter-ſeſſions are uſually held, and, where there are no quarter-ſeſſions held, at the place where the parochial buſineſs is uſually tranſacted; and ſhall, at the ſame time, bind over the witneſſes to appear and give evidence againſt ſuch maroon negro or negroes: And ſuch juſtice ſhall thereupon certify to two other juſtices of the peace the cauſe of ſuch commitment, or ſecurity being given before him as aforeſaid, and require them, by virtue of this act, to aſſociate themſelves to him, which ſuch juſtices are hereby ſeverally required to do, under the penalty of twenty pounds for every neglect or refuſal; and the ſaid juſtices, ſo aſſociated, ſhall iſſue out their warrant to ſummon fifteen perſons, ſuch as are uſually warned and empannelled to ſerve on juries, perſonally to be and appear before the ſaid juſtices at the day and place aforeſaid, to be expreſſed in ſuch warrant, and between the hours of eight and twelve in the forenoon (provided there be at leaſt ten days between the day on which the complaint was made and the day of trial); when and where

On complaint of robberies, &c. by maroons, justices to issue warrants.

Slaves to be evidence against them.

They are to be tried where parochial business is usually transacted.

Justice to call in two other justices,

(who must attend or forfeit 20*l.* each),

and they are to summon a jury.

Ten days between complaint and trial.

the ſaid perſons ſo ſummoned are hereby required ſeverally to attend, under the penalty of five pounds, and when and where the ſaid juſtices ſhall cauſe the ſaid maroon negro or negroes ſo complained of to be brought before them; and thereupon the firſt twelve of the ſaid perſons, ſo ſummoned as aforeſaid, who ſhall appear, ſhall compoſe a jury to try the ſaid maroon negro or negroes, and ſhall by the ſaid juſtices be ſworn to try the matter before them, and to give a true verdict according to evidence: And, the charge or accuſation being read, which ſhall be deemed valid if ſufficient in ſubſtance, if the ſaid jurors ſhall, upon hearing the evidence, unanimouſly find the ſaid maroon negro or negroes guilty of the offence wherewith he, ſhe, or they, ſtand charged, the ſaid juſtices ſhall give ſentence of death without benefit of clergy, or tranſportation, or public whipping, or confinement to hard labour for a limited time not exceeding twelve months, according to law, and ſhall cauſe ſuch ſentence to be carried into execution at ſuch time and place as they ſhall think proper, women with child only excepted, whoſe execution ſhall be reſpited until a reaſonable time after delivery: Provided always, That in all caſes where ſentence of death or tranſportation ſhall be paſſed (excepting for rebellious conſpiracies), execution ſhall be reſpited until the pleaſure of the commander in chief ſhall be ſignified thereon; and the ſaid juſtices are hereby empowered to reſpite the execution of any ſentence whatever until the pleaſure of the commander in chief ſhall in like manner be ſignified, in caſe proper cauſe ſhall appear to them for ſo doing.

Jury to conſiſt of twelve white men, and be ſworn.

If maroon found guilty, juſtices may give ſentence of death, tranſportation, &c.

Unleſs for rebellion, governor to confirm ſentence of death or tranſportation, previous to execution.

VI. And be it further enacted, That no challenge of any of the ſaid jurors, unleſs reaſon be aſſigned, which reaſon the court ſhall determine whether to admit or reject, and no exception to the form of the charge or indictment, ſhall be allowed: And that in all caſes where the puniſhment of death is inflicted, the execution ſhall be performed in a public part of the pariſh, and with due ſolemnity; and care ſhall be taken by the gaoler or deputy-marſhal that the criminal is free from intoxication at the time of his trial, and from thence to and at the time of his execution, under the penalty of five pounds; and the mode of ſuch execution ſhall be hanging by the neck, and no other, and the body ſhall be afterwards diſpoſed of in ſuch manner as the court ſhall direct: And provided alſo, That, where ſeveral maroon negroes are capitally convicted for the ſame offence, one only ſhall ſuffer death, except in caſes of murder or rebellion.

Challenges muſt not be made, nor form objected to.

Executions to be performed publicly,

and by hanging only.

Only one to ſuffer for the ſame offence.

VII. And be it further enacted by the authority aforeſaid, That in all caſes where the puniſhment is confinement to hard labour for a limited time in any public workhouſe, it ſhall not be lawful for the ſuperintendent or overſeer of ſuch workhouſe to cauſe a maroon negro to be chained to a ſlave, but that he ſhall cauſe him to be confined to work within doors, with other free negroes.

Maroons not to be worked with ſlaves.

VIII. And

Court to inflict punishment for false evidence.

VIII. And be it further enacted by the authority aforesaid, That in case any maroon negro or negroes, or slave or slaves, shall wilfully, and with evil intent, give false evidence on any trial had under this act, such maroon negro or negroes, or such slave or slaves, being thereof convicted, shall suffer such punishment as the court shall think proper to inflict.

Records to be kept by clerk of peace,

who must attend trials, record proceedings in five days, and deliver a copy under penalty of 20*l.*

He is to be paid 5*l.*

Deputy-marshal to attend at trials and executions, under penalty of 20*l.*

and be paid 5*l.*

IX. And be it further enacted by the authority aforesaid, That a record shall be entered up of all proceedings on the trial of maroon negroes, in a book kept for that purpose by the clerk of the peace for the parish or precinct where the trial was, or his lawful deputy; who is hereby obliged to attend all such trials, and to record the proceedings within five days after such trial, and to deliver an attested copy thereof to the superintendent, in order that the same may be forwarded to the commander in chief for the time being, under the penalty of twenty pounds for each neglect; and he shall be intitled to receive, from the churchwarden of such parish, the sum of five pounds, and no more, for attending each trial, entering up the record, delivering an attested copy thereof, and all other business incidental thereto: And further, that the deputy-marshal for the said parish or precinct, or some proper person acting under him, to be approved of by the presiding justices, shall also be obliged to attend such trial, under the same penalty of twenty pounds for each neglect, to be levied on the goods and chattels of the said deputy-marshal; and that he shall be intitled to receive, from the churchwardens of such parish, five pounds, for attending at the trial and execution of such offenders as shall be condemned to die or to be publicly whipped: Provided always nevertheless, That in all cases where any maroon negro or negroes shall be apprehended and brought before a justice of the peace, on a complaint made before him, on oath, of any crime or offence committed by such maroon negro or negroes, and, after examination taken before him respecting the same, if the superintendent of the maroon town, to which such maroon negro or negroes shall belong, shall make application to such justice to have such offender or offenders tried in the principal town of the county in which such crime or offence shall be committed, or, in case such justice of the peace before whom such offender or offenders shall be brought, shall himself think it proper to have such maroon negro or negroes tried in such county-town as aforesaid, then, or in either of the said cases, it shall and may be lawful for such justice to take good and sufficient security for the appearance of such offender or offenders at the court-house of such county-town as aforesaid, on such day as such justice shall appoint, not exceeding one calendar month from the time of taking such security, then and there to take his trial before a jury of twelve men of the parish or precinct in which such county-town shall be situate; which jury shall be summoned, and which trial shall be proceeded on, in such and the same manner as is herein before directed in respect to trials of any maroon negro or negroes for crimes or offences, to be tried in the parishes in which such maroon town or towns are situated as aforesaid; and the witnesses shall, in

When it is deemed necessary, maroons may be tried in the county towns.

Security to be given for their appearance there in a month.

If security not given, justice may commit offenders and witnesses.

in like manner, give ſecurity then and there to appear, proſecute, and give evidence againſt, ſuch offender or offenders; and in caſe ſufficient ſecurity ſhall not be given for ſuch the appearance of the offender or offenders, witneſs or witneſſes, it ſhall be lawful for ſuch juſtice, and he is hereby required, to commit to the gaol of the county where ſuch crime or offence ſhall be committed all and every ſuch maroon negro or negroes, witneſs or witneſſes; and the ſaid juſtice is hereby required immediately afterwards to tranſmit the proceedings ſo had before him to the clerk of the peace of ſuch county town as aforeſaid, that he may be enabled to proſecute according to law; any thing in this act to the contrary hereof in anywiſe notwithſtanding: Provided

Expences of trials to be paid by the public.

alſo, That the expences of ſuch trials in ſuch county-towns as aforeſaid ſhall be borne by the iſland at large, and paid by the receiver-general out of any monies in his hands unappropriated.

X. And whereas it has been found by experience, that a large concourſe of ſlaves belonging to different plantations is dangerous, and that nightly meetings tend much to injure the health of negroes: Be it therefore enacted by the authority aforeſaid, That if any ſuperintendent, or, in his abſence, any negro maroon officer, having the command of any negro-town, ſhall knowingly ſuffer and permit a large concourſe of ſlaves in the day-time, or nightly meetings of ſlaves, in the ſaid town, or ſettlements belonging thereto, and ſhall not make every exertion in his power to prevent the ſame, the ſaid ſuperintendent or negro maroon officer, ſhall, upon complaint thereof to the commander in chief, by any two juſtices of the peace for the precinct in which ſuch negro-town is included, be tried by a court-martial, to be appointed by the commander in chief; and, if convicted of the offence, ſuch ſuperintendent, or maroon negro officer, ſhall be broke, and another appointed in his place by the commander in chief: Provided always, That nothing herein contained ſhall be conſtrued to prevent the maroon negroes from having dances among themſelves in the night, or even with a ſmall number of the ſlaves of neighbouring plantations, provided it be between ſun-riſe and ſun-ſet: And provided nevertheleſs, That the information ſhall be given to the commander in chief, on oath, and within ten days after ſuch unlawful meeting.

Superintendent, &c. not to permit any large aſſemblies of ſlaves in the day, nor any meetings in the night,

under pain of being broke.

Complaint to be made in ten days.

XI. And whereas ſeveral of the maroon negroes have frequently endeavoured to create factions and diſputes among ſome of the ſlaves belonging to different plantations, and to perſuade and entice others to run away from their owners, contrary to the articles upon which they ſurrendered: Be it further enacted by the authority aforeſaid, That any of the negroes, belonging to any of the negro-towns in this iſland, who ſhall entice or perſuade any ſlave or ſlaves to run away from their ſeveral and reſpective owners, or receive and harbour any runaway ſlaves, and be thereof convicted in manner and form as aforeſaid, ſhall be tranſported off this iſland.

Maroons inveigling or harbouring ſlaves to be tranſported.

XII. And

XII. And whereas ſeveral of the negroes belonging to the negro-towns have frequently left their ſeveral towns, and continued abſent from them a conſiderable time, without the leave of their commanding officer, or, having had ſuch leave, have not returned in the time preſcribed to them, but have rambled about in the ſeveral pariſhes of this iſland, and been harboured and concealed in divers places: For prevention of which, Be it enacted by the authority aforeſaid, That, from and after the paſſing of this act, every negro belonging to any of the negro-towns, who ſhall abſent himſelf or herſelf from the town to which he or ſhe belongs, without leave of the ſuperintendent or his aſſiſtant, in writing, or who, having had leave, ſhall continue abſent therefrom for the ſpace of ſeven days after the expiration of ſuch leave, upon complaint thereof made, on oath, to any magiſtrate of the pariſh where he or ſhe ſhall happen to be at that time, ſhall be committed to the marſhal of the pariſh or precinct where he or ſhe ſhall be taken, and ſhall be ſent (at the expence of the country) by him, under a penalty of twenty pounds, to the negro maroon-town to which he or ſhe ſhall belong, in order to be brought to trial for ſuch offence, in manner and form as aforeſaid.

If they quit their towns without leave, or stay out seven days beyond their time, the marshal of the precinct, under penalty of 20*l.* to send them home for trial.

XIII. And whereas ſome of the negroes formerly in rebellion have purchaſed ſlaves, and it is apprehended that more ſlaves may be bought by them, which may be of ill conſequence to this iſland, if not prevented: Be it therefore enacted by the authority aforeſaid, That no negro belonging to any of the negro-towns in this iſland ſhall purchaſe or buy any ſlave or ſlaves whatſoever, under the penalty of forfeiting ſuch ſlave or ſlaves to his majeſty: And if any merchant, factor, or other perſon whatſoever, ſhall knowingly ſell or give any ſlave or ſlaves to any negro belonging to either of the negro-towns in this iſland, or to any other perſon in truſt for or to the uſe of the aforeſaid negroes, every ſuch merchant, factor, or other perſon, ſhall, for every negro ſo ſold or given, forfeit the ſum of one hundred pounds; and every perſon who ſhall purchaſe, or be concerned in the purchaſe of any ſlave or ſlaves, in truſt for any of the ſaid negroes belonging to the ſaid negro-towns, ſhall forfeit the like ſum of one hundred pounds.

Slaves purchased by them to be forfeited.

Persons selling slaves to them, or buying any in trust for them, to forfeit 100*l.*

XIV. And be it further enacted by the authority aforeſaid, That the ſuperintendent of each and every the negro-towns in this iſland ſhall, as often as he ſends out any party on duty, give his orders in writing to the commanding officer of ſuch party, ſpecifying at whoſe requeſt ſuch party is ordered out, the names of the officers and men compoſing ſuch party, and the time when ſuch party is to return; and that, on the return of ſuch party, the ſuperintendent in the town from whence ſuch party was ſent out ſhall, and he is hereby obliged to, make oath, on the back of ſuch order or orders, that the ſervice on which ſuch party or parties were ſent out was duly performed, or as the circumſtances of the caſe may happen to be; which oath any magiſtrate is hereby authorized and empowered to adminiſter: Provided always, That no ſuperintendent ſhall order any party to remain out at any time exceeding twenty days.

How superintendents are to proceed on parties being sent out.

Not to be sent out for above twenty days.

XV. And

Maroons to have 40*s.* and mile-money for every runaway they take when on parties; and 20*s.* for those taken when not on parties.

XV. And be it enacted by the authority aforeſaid, That a reward, not exceeding forty ſhillings, beſides mile-money, ſhall be paid for every runaway negro or other ſlave taken by them while on party; and a reward, not exceeding twenty ſhillings, for every runaway taken by a maroon or maroons when not on party, which rewards ſhall be adjudged by any magiſtrate: And if the owner or owners, or perſon having the charge of ſuch runaway negro or other ſlave ſo taken by a maroon or maroons, ſhall refuſe to pay the reward and mile-money ſo adjudged, any magiſtrate is hereby authorized and directed, under a penalty of twenty pounds, on complaint thereof being made, on oath, by the ſuperintendent of the town to which ſuch maroon or maroons ſhall belong, to iſſue a diſtreſs warrant, directed to the conſtable of the precinct, to levy on the goods and chattels of the owner or owners of ſuch runaway negro or other ſlave; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding: Provided always, That no maroon ſhall be intitled to receive more money than one ſhilling *per* mile for the firſt five miles, and ſix pence for every mile exceeding that, either to the next workhouſe, or to the proprietor's houſe next adjoining the ſpot where he took up the negro or other ſlave.

If payment refuſed, magiſtrate, under penalty of 20*l.* to iſſue a diſtreſs warrant.

Rates of mile-money they are to be paid.

White people not to employ maroons without written agreement, under penalty of 20*l.*

XVI. And whereas it often happens that maroon negroes are hired or employed by white people, and find great difficulty in recovering their juſt demands, for want of ſufficient legal evidence: For remedy whereof, Be it further enacted by the authority aforeſaid, That, from and after the firſt day of March next, it ſhall not be lawful for any white perſon or perſons whomſoever to hire, work, or employ, in his, her, or their ſervice, in any capacity whatſoever, any maroon negro or negroes, without firſt entering into a written agreement with ſuch maroon or maroons, two parts of which ſhall be ſigned by both parties, or their mark or marks affixed thereto, and ſuch agreement to be ſigned and ſubſcribed by one credible white perſon as witneſs; one of which ſhall be delivered to the maroon negro or negroes, and the other kept by the perſon or perſons ſo hiring or employing him, her, or them; and in caſe any maroon negro or negroes, hired or employed by any white perſon or perſons, ſhall, from and after the ſaid firſt day of March next, be found in ſuch employ without ſuch written agreement, ſuch white perſon or perſons ſhall forfeit the ſum of twenty pounds.

Debts owing to or from maroons to be ſettled as directed by 9 *Geo.* II. *cap.* 9.

XVII. And be it further enacted by the authority aforeſaid, That all debts due to or from maroon negroes ſhall be determined by two magiſtrates, in as ſummary a manner as is directed by the one hundred and eleventh act of this iſland, to decide all differences between maſters and ſervants.

XVIII. And whereas it is proper and neceſſary that maroon negroes ſhould be protected in their perſons againſt the violence of evil-diſpoſed white perſons and free perſons of colour: Be it therefore enacted, That, from

from and after the paſſing of this act, any perſon or perſons whatſoever that ſhall whip, beat, bruiſe, wound, or ill treat, any maroon negro or negroes, ſhall be liable to a proſecution by indictment for the ſame at the court of quarter-ſeſſions of the pariſh or precinct where the offence happens; and, upon being thereof legally convicted, he, ſhe, or they, ſhall ſuffer ſuch puniſhment, by fine or impriſonment, or both, as ſuch court ſhall think proper to inflict; any law, cuſtom, or uſage, to the contrary notwithſtanding.

If white or free persons aſſault maroons, they may be proſecuted.

XIX. And be it further enacted by the authority aforeſaid, That the ſuperintendent of each and every of the negro-towns ſhall, once in every three months during the continuance of this act, make a return, on oath, to the governor or commander in chief for the time being, of the number of negroes reſiding in each of their reſpective towns, ſetting forth particularly the number of men capable of bearing arms, as alſo thoſe unfit for duty, the number of women and children, their increaſe and decreaſe, the condition of the houſe in which ſuch ſuperintendent reſides, together with the condition of the roads leading from the negro-towns to the ſettlements.

Superintendent to make quarterly returns,

XX. And be it further enacted by the authority aforeſaid, That the ſuperintendent of each and every of the negro-towns ſhall actually reſide in the town of which he is ſuperintendent; and that, on no pretence whatſoever, he be abſent therefrom for a longer time than a fortnight, without leave of the governor or commander in chief for the time being.

and not be abſent from his town above a fortnight, without leave.

XXI. And be it further enacted by the authority aforeſaid, That if the ſuperintendent of a negro-town ſhall neglect his duty, by not making a return as aforeſaid, or by abſenting himſelf without leave as aforeſaid, he ſhall be ſubject, for ſuch offence, to be tried by a court-martial, to be appointed by the governor or commander in chief for the time being, and, if found guilty thereof, ſhall be broke, and another perſon appointed in his place.

If he fails in those reſpects, he may be broke.

XXII. And whereas the roads leading to many of the negro-towns are, great part of the year, very bad, and ſometimes almoſt impaſſable: Be it enacted by the authority aforeſaid, That the negroes belonging to each of the negro-towns ſhall, once every year, repair the roads leading to their reſpective towns and ſettlements, when they ſhall be ſo ordered by their ſuperintendent; and, as an encouragement to the ſaid negroes to amend and keep the ſaid roads in repair, the receiver-general for the time being ſhall pay to each negro man belonging to the ſaid towns, who ſhall be employed in making and repairing the roads leading to the ſaid towns, three ryals *per* day, oath being firſt made by the ſuperintendent, of the number of negroes actually employed, and the time they worked on the ſaid roads: Provided always, That ſuch pay do not exceed the ſum of fifty pounds to each negro-town in each year.

Maroons to repair roads,

being paid,

not exceeding 50*l. per ann.* for each town.

Maroon parties to be paid as herein specified,

XXIII. And whereas the ſending out parties of negroes belonging to the ſeveral negro-towns, to ſcour the woods, and take up runaway ſlaves, will be of great eaſe and advantage to the planters and white inhabitants of the iſland: Be it enacted by the authority aforeſaid, That, as an encouragement to the ſaid parties to be diligent in the ſaid ſervice, there ſhall be paid, by the receiver-general for the time being, to the officer among the negroes in each party in the rank of a captain, two ſhillings and ſix pence *per* day; for lieutenant, one ſhilling and three pence *per* day; and to every common man, one ryal *per* day; when on actual duty, and no longer;

and have provisions and ammunition.

and that each party ordered out ſhall be ſupplied with a proportionable quantity of proviſion, and ammunition requiſite for the ſervice they ſhall be ſent on, by the ſuperintendent of the town ſending out ſuch party; the amount of which, atteſted on oath, ſhall be paid by the receiver-general for the time being to ſuch ſuperintendent: Provided always, That no party ſhall conſiſt of more than twelve men, including officers, except on particular occaſions.

Not more than twelve men to be in each party.

When maroons wish to live out of the negro-towns, they are to resign their lands at quarter-sessions.

XXIV. And whereas the number of maroon negroes hath of late years greatly increaſed, and is ſtill increaſing; in conſequence of which increaſe, the lands granted to them will ſoon be unable to provide for their ſupport and maintenance: Be it enacted by the authority aforeſaid, That it ſhall be lawful for any maroon negro or negroes to appear in perſon before the juſtices of their precinct, at the time they ſhall preſide at any of the courts of quarter-ſeſſions, and there and then publicly and ſolemnly to declare, that he, ſhe, or they, are deſirous and willing to give up any right he, ſhe, or they, may have to any part of the lands which have been granted to the maroon negroes, and that he, ſhe, or they, are deſirous and willing to reſide in any other part of the iſland, except in any of the maroon-towns.

Magistrates to have their declaration recorded, and, under penalty of 20*l.* give them a copy of it.

XXV. And be it further enacted by the authority aforeſaid, That in conſequence of ſuch a public and ſolemn declaration as aforeſaid, the ſaid juſtices ſhall be authorized and empowered to cauſe a record thereof to be entered in the books of the clerk of the peace of the ſaid precinct; a copy of which record the ſaid juſtices are hereby directed, under a penalty of twenty pounds, to deliver to the ſaid maroon negro or negroes, under their hand and ſeal, and atteſted by the clerk of the peace, who ſhall only be intitled to a fee of five ſhillings.

They are then to be no longer subject to the superintendent, but enjoy the privileges of free people.

XXVI. And be it further enacted by the authority aforeſaid, That every ſuch perſon having made ſuch a declaration, and being poſſeſſed of the copy of ſuch a record as aforeſaid, ſhall be intitled to every right and privilege of a free perſon of colour, and ſhall no longer be ſubject to the command or control of any ſuperintendent or maroon officer in the iſland; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding: Provided always, That in caſe ſuch perſon, a male, be of age, and if

that

that he ſhall, within twenty days after ſuch declaration, cauſe himſelf to be enrolled in the militia of the precinct wherein he intends to reſide. Men must enlist in the militia.

XXVII. And be it further enacted by the authority aforeſaid, That this act be read and explained, once every three months, by the ſuperintendent reſiding in each of the negro-towns, to the negroes therein. This act to be explained to maroons quarterly.

XXVIII. And be it further enacted by the authority aforeſaid, That the complainant and complainants, defendant and defendants, and all and every perſon or perſons, bound or warned to ſerve as jurors, or ſummoned as witneſſes, by virtue of this act, ſhall be protected in their perſons from all meſne and judicial proceſs, in their going to, attending at, and returning from, the ſaid trial. Perſons of jurors, &c. protected.

XXIX. And be it further enacted by the authority aforeſaid, That, in caſe of a ſentence for tranſportation, the juſtices preſiding at the trial ſhall order the offender or offenders to be tranſported off this iſland by the receiver-general for the time being, and ſold; and the money ariſing from ſuch tranſportation and ſale to be to our ſovereign lord the king, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof: And in caſe ſuch offender, ſo tranſported, ſhall return to this iſland, and be thereof convicted, ſuch offender ſhall ſuffer death, without benefit of clergy. Maroons ſentenced to be tranſported, are to be ſold by receiver-general. If they return, they ſuffer death.

XXX. And be it further enacted by the authority aforeſaid, That all penalties in this act mentioned, and not already declared how they ſhall be recovered and applied, ſhall, if not exceeding twenty pounds, be recovered, in a ſummary manner, before any two of his majeſty's juſtices of the peace, by diſtreſs and ſale of the offender's goods and chattels; and, if exceeding twenty pounds, to be recovered in the ſupreme court of judicature of this iſland, or in either of the courts of aſſize, by action of debt, bill, plaint, or information, wherein no eſſoin, protection, wager of law, or *non vult ulterius proſequi*, ſhall be entered; one moiety of which penalties ſhall be to our ſovereign lord the king, his heirs and ſucceſſors, for and towards the ſupport of the government of this iſland, and the contingent charges thereof, and the other moiety to the informer, or him, her, or them, who ſhall ſue for the ſame. Recovery and application of penalties.

XXXI. And be it further enacted and declared by the authority aforeſaid, That nothing in this act contained be expounded, conſtrued, or underſtood, to diminiſh, alter, or abridge, the power of the lieutenant-governor or commander in chief for the time being; but that in all things, and upon all occaſions, he may act as fully and freely, as governor and commander in chief, to all intents and purpoſes, as if this act had never been made; any thing in this act to the contrary notwithſtanding. This act not to abridge the governor's power;

but he cannot send any persons off the island against their will.

XXXII. Provided alſo, and it is hereby enacted and declared by the authority aforeſaid, That nothing in this act, or any clauſe therein contained, ſhall be deemed, conſtrued, or underſtood, to give any governor or commander in chief any power or authority for the ſending any perſon or perſons off this iſland againſt their will, or to do any other act or thing contrary or repugnant unto the known laws of England or of this iſland.

CAP. V.

EXPIRED. *An act to authorize and empower the juſtices and veſtry of the ſeveral pariſhes of this iſland to make and erect pounds, for the better ſecuring of all ſtrays of horſes, mares, mules, aſſes, and horned cattle, belonging to the inhabitants of this iſland.*—[9th December, 1791.]

CAP. VI.

EXPIRED. *An act for raiſing ſeveral ſums of money, and applying the ſame to ſeveral uſes.*—[9th December, 1791.]

CAP. VII.

An act to explain and amend an act entitled, "An act to repeal an act entitled, 'An act for building a bridge over the Rio Cobre;' and for building a bridge over the Rio Cobre, in the parish of St. Catherine; and for other purposes therein mentioned;" and for adding commissioners to those already made a body corporate for building a bridge over the Rio Cobre, in and by three acts, one passed in the year one thousand seven hundred and seventy-five, one passed in the year one thousand seven hundred and seventy-six, and the other in the year one thousand seven hundred and eighty-four; and for the appropriation of the sum of one thousand pounds yearly, out of the tolls and duties laid and required to be paid under and by virtue of the said acts, and to lay out the same on the road leading from the town of St. Jago de la Vega to the tavern at the Bog-Walk; and for other purposes in the said act mentioned; and for adding commissioners to the said act.—[9th December, 1791.]

Preamble. 15 Geo. III. cap. 22.

WHEREAS, by an act of the governor, council, and aſſembly, of this iſland, entitled, *An act to repeal an act entitled, "An act for building a bridge over the Rio Cobre;" and for building a bridge over the Rio Cobre, in the pariſh of St. Catherine; and for other purpoſes*

poſes therein mentioned, certain tolls and duties are laid and required to be be paid at the toll-gate, at a place called the Ferry, in the pariſh of St. Andrew: And whereas the monies ariſing from ſuch tolls and duties are more than ſufficient for the purpoſes for which they were intended: And whereas it will be of great benefit to the public, that the ſum of one thouſand pounds, of the monies ariſing from ſuch tolls, ſhould be annually appropriated and laid out on the road leading from the town of St. Jago de la Vega to the tavern at the Bog-Walk: Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted by the authority of the ſame, That, from and after the paſſing of this act, the receiver or receivers, collector or collectors, treaſurer or treaſurers, for the time being, appointed to receive the ſaid tolls, do and ſhall, yearly and every year, pay over the ſum of one thouſand pounds, out of the monies ariſing from the ſaid tolls and duties, to William Mitchell, John Rodon, Philip Redwood, Henry Rennalls, Samuel Whitehorne, Zachary Bayly Edwards, Charles Grant, Robert Page, and John Blackburn, eſquires, who are hereby nominated and appointed truſtees and commiſſioners for laying out and appropriating the ſame on the road leading from the town of St. Jago de la Vega to the tavern at the Bog-Walk; and that they, and the ſurvivors of them, or any five or more of them, or ſuch perſon or perſons as they, or any five or more of them, ſhall authorize and appoint, ſhall cauſe the ſame, or ſo much thereof as ſhall be ſufficient, yearly and every year, to be applied accordingly.

Treaſurer of the Ferry toll to pay 1000*l.* annually to

Truſtees and commiſſioners for the road from Spaniſh-Town to Bog-Walk;

who are to expend what may be neceſſary thereon.

II. And whereas ſeveral of the commiſſioners named in the above-recited acts have dropped off by death, or have quitted the iſland, and others of them are not reſident in or near the town of St. Jago de la Vega; whereby the purpoſes meant and intended by the ſaid ſeveral acts cannot with conveniency be carried into execution: Therefore, to the end and intent that the meaning and deſign intended by the ſaid acts may be fulfilled and carried into execution, Be it enacted by the authority aforeſaid, That, from and after the paſſing of this act, the honourable John Scott, Bryan Edwards, Charles Grant, Samuel Whitehorne, James Mitchell, Archibald Galbraith, John M'Lean, Henry Shirley, John Lewis, John Gardner Kemeys, William Blake, Joſeph Tharp, Jeremiah Barton, George Scott (of Hordley), Samuel Delpratt, William Thompſon, and Eliphalet Fitch, eſquires, and each and every of them, ſhall be, and are hereby appointed, commiſſioners for all and every the purpoſes in the ſaid ſeveral acts mentioned; and ſhall be, and are hereby appointed as, part of the ſaid corporation or company, with all the powers and authorities whatſoever in the ſaid firſt above-mentioned act, or any other act, contained, and that as fully, amply, and effectually, as if they and each of them had been particularly named and ſet down in the ſaid act, or any other act; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding.

New commiſſioners appointed for the road from Kingſton to Spaniſh-Town,

with the ſame powers as thoſe appointed by former acts;

III. And

Public act.

III. And be it further enacted by the authority aforeſaid, and it is hereby enacted and declared, That this act ſhall be deemed and allowed to be a public act, and be judicially taken notice of as ſuch by all judges, juſtices, and other perſons, without ſpecially pleading the ſame.

CAP. VIII.

EXPIRED. *An act for laying a duty on tonnage, and applying the ſame to the uſe of the forts and fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, "An act for granting a revenue to his majeſty, his heirs and ſucceſſors, for the ſupport of the government of this iſland; and for reviving and perpetuating the acts and laws thereof;" and to enable the receiver-general to import and purchaſe gunpowder, under certain reſtrictions.*—[9th December, 1791.]

CAP. IX.

EXPIRED. *An act to enable his honour Adam Williamſon, eſquire, lieutenant-governor and commander in chief, or the governor or commander in chief for the time being, to iſſue his majeſty's royal proclamation, during the receſs of the preſent aſſembly, prohibiting the exportation of flour and other proviſions from this iſland, for a limited time.*—[9th December, 1791.]

CAP. X.

EXPIRED. *An act to regulate the militia; to repeal certain acts and clauſes of acts relating to the ſaid militia; to aſcertain who ſhall compoſe future councils of war; and for other purpoſes.*—[16th December, 1791.]

CAP. XI.

An act for eſtabliſhing public workhouſes in the ſeveral pariſhes in this iſland.—[16th December, 1791.]

Preamble. WHEREAS conſiderable advantages have been derived to the poor, ſick, infirm, and diſabled, tranſient poor, from the public hoſpital eſtabliſhed in the town of Kingſton, and ſeveral hundred perſons have been reſtored to health, and have been enabled to earn their bread in a comfortable manner; but, for want of proper regulations, ſome of the patients, after having been cured and diſcharged out of the ſaid hoſpital, have contracted drunkenneſs and idleneſs, whereby the good intentions of the legiſlature have been defeated: And whereas there are a great number of white vagrants and other diſorderly perſons about this iſland, who ought to be confined and ſet to work: And whereas workhouſes may be alſo neceſſary in the ſeveral other pariſhes of this iſland, for the ends and purpoſes aforeſaid: Therefore, to puniſh vice, and to compel idle and diſorderly perſons by their own labour to contribute to their own ſubſiſtence,

ſubſiſtence, and for providing proper receptacles for all idle and runaway ſlaves in the ſeveral pariſhes in this iſland, May it pleaſe your moſt excellent majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That all white perſons, and free negroes and mulattoes, able in body, who, not having wherewith otherwiſe to maintain themſelves, uſe loitering, and refuſe to work for the uſual and common wages, and all other idle white perſons, free negroes, and free mulattoes, wandering abroad and begging (except ſoldiers, mariners, or ſeafaring men, licenſed by ſome teſtimonial in writing, under the hand and ſeal of ſome juſtice of the peace, ſetting down the time and place of his or their landing, and the place to which he or they are to paſs, and limiting the time for ſuch their paſſage, while they continue in the direct way to the place to which they are to paſs, and during the time ſo limited), ſhall be deemed rogues and vagabonds.

Able persons, of whatever colour, refusing to work, deemed rogues and vagabonds.

Sailors, &c. must carry testimonials with them.

II. And be it further enacted by the authority aforeſaid, That, from and after the thirty-firſt day of December, in the preſent year of our Lord one thouſand ſeven hundred and ninety-one, the juſtices and veſtrymen of the ſeveral pariſhes in this iſland, and the members returned to ſerve in the aſſembly for ſuch pariſh for the time being, if to them it ſhall ſeem meet, ſhall erect and build, or cauſe to be erected and built, a public workhouſe or houſes of correction in all or any ſuch pariſhes, and in ſuch place or places as to them ſhall appear moſt fit and proper, under the direction, care, and management of the juſtices, veſtrymen, and churchwardens of every ſuch pariſh, with the members of the aſſembly for ſuch pariſh for the time being; and that the ſaid juſtices, veſtrymen, and churchwardens, with the members aforeſaid, ſhall meet on the fifteenth day of January, which will be in the year of our Lord one thouſand ſeven hundred and ninety-two, at the uſual place of holding veſtries, or as ſoon after as conveniently may be, and at ſuch meeting they ſhall elect a preſident, a treaſurer, and a ſuperviſor of the ſaid workhouſe or houſe of correction, and proceed on other neceſſary buſineſs towards carrying this act fully into execution, and ſhall adjourn themſelves from time to time as they ſhall think proper for the purpoſes aforeſaid; and ſuch preſident, treaſurer, and ſuperviſor, for any miſbehaviour or neglect to remove, and other or others in their ſtead or place to put and appoint.

Justices, &c. with representatives of each parish, may build houses of correction,

and elect a president, treasurer, and supervisor.

III. And be it further enacted by the authority aforeſaid, That, for the better and more effectual carrying this act into execution, the juſtices, veſtrymen, and churchwardens of any pariſh, and the members returned, as aforeſaid, to ſerve in the aſſembly for ſuch pariſh where ſuch hoſpital or workhouſe ſhall be ſo erected or built, ſhall be, and are hereby nominated and appointed, commiſſioners for the purpoſes of carrying the ſame into execution; and the ſaid commiſſioners hereby appointed, as aforeſaid, are hereby

Commissioners appointed for the workhouses;

who are in-

corporate l, and empowered to put this act in execution.

hereby declared a body politic and corporate for ever hereafter, by the name of THE PRESIDENT, GUARDIANS, AND GOVERNORS OF THE HOSPITAL AND WORKHOUSE in ſuch pariſh where ſuch hoſpital and workhouſe ſhall be ſo erected and built; and by that name to purchaſe lands and houſes, to ſue and be ſued, implead and be impleaded, and to do all and every act and acts, thing and things, that any other perſons, bodies politic and corporate, may or ought to do; and that the ſaid preſidents, guardians, and governors, five of whom ſhall be a *quorum* to proceed to and do all buſineſs, as if all the ſaid commiſſioners were perſonally preſent, ſhall have power and authority to make rules and orders for the better government and regulation of the ſaid workhouſe, and to appoint a common ſeal, to conſtitute committees, and to provide materials for ſetting to work all vagrants, and other idle and diſorderly perſons, and all ſuch perſons as may or ſhall be ſent into the ſaid workhouſe from the public hoſpital, either for puniſhment, or to amend them of their idle vicious lives by inuring them to labour and exerciſe; and they ſhall have power to puniſh all idle and diſorderly perſons, of every colour and diſtinction, as often as they ſhall miſbehave themſelves within their juriſdiction, or ſhall refuſe to work, either by confinement in the ſtocks not exceeding forty-eight hours, or by whipping not exceeding thirty-nine laſhes at one time, or by ſhortening their allowance of diet, ſuch as may be eſtabliſhed by the regulations of the ſaid workhouſe.

Five to be a *quorum*.

Each corporation to make rules, have a ſeal, provide materials for vagrants to work on, and puniſh miſbehaviour.

Conſtables, or any other perſons, to apprehend vagabonds, and take them before a juſtice;

IV. And be it further enacted by the authority aforeſaid, That if, from and after the fifteenth day of January aforeſaid, any perſon, by this act declared to be a rogue or vagabond, ſhall be found in any pariſh or place to be wandering or begging, or miſordering him or herſelf, it ſhall and may be lawful for the conſtable of ſuch pariſh or place, or any other perſon there dwelling, to apprehend the perſon ſo deemed a rogue or vagabond, and to convey, or cauſe to be conveyed, him or them to ſome juſtice of the peace in the pariſh, or in the neighbourhood of ſuch pariſh or place; and in caſe any conſtable ſhall refuſe or neglect to uſe his beſt endeavour to apprehend any ſuch rogue or vagabond, it ſhall be deemed a neglect of duty.

who, after examination, if he ſees fit, is to ſend them to the workhouſe,

V. And be it further enacted by the authority aforeſaid, That where any perſon or perſons, apprehended by any conſtable or ſuch other perſon as aforeſaid, ſhall be brought before any juſtice of the peace, it ſhall and may be lawful for ſuch juſtice, and he is hereby required, to inform himſelf, as well by the oath and examination of the perſon or perſons apprehended as of any other perſons (which oath or oaths the ſaid juſtice is hereby authorized to adminiſter), or by any other ways or means he ſhall think proper, of the condition, circumſtances, and way of life, of the perſon or perſons ſo apprehended; and if, on ſuch examinations or otherwiſe, he find ſuch perſon or perſons to be a rogue or vagabond, within the deſcription

ſcription of this act, then ſuch juſtice ſhall forthwith, by warrant or order in writing under his hand and ſeal, deliver over ſuch rogue or vagabond, together with the examinations and evidence aforeſaid in writing, to ſuch conſtable, to be by him conveyed and delivered to the preſident, guardians, and governors of the workhouſe in ſuch pariſh, at the workhouſe aforeſaid, there to be ſet to work for any time not exceeding ſix months for any one offence.

there to be kept at labour, not exceeding six months.

VI. And be it further enacted by the authority aforeſaid, That all white perſons, committed or ſent to the ſaid public workhouſe, ſhall be fed, lodged, and worked, ſeparate and apart from the free negroes, mulattoes, and ſlaves, in the ſaid workhouſe.

Whites to be separated from people of colour.

VII. And be it further enacted by the authority aforeſaid, That ſo ſoon as the ſaid preſident, guardians, and governors of the ſaid workhouſe, ſhall have provided a proper place for the reception of all ſuch rogues, vagrants, vagabonds, ſturdy beggars, and other diſorderly perſons, and alſo of all idle and runaway negroes, public notice thereof ſhall be given by advertiſement in the public papers, and a day fixed; after which, all ſuch diſorderly perſons ſhall be received therein, as well as all idle and runaway negroes: And the ſaid preſident, guardians, and governors, are hereby authorized to hire out to labour, for the moſt they can obtain, the ſaid idle and runaway negroes and other ſlaves, to work in the ſtreets and lanes of the ſaid town, to make or to amend the public roads in ſuch pariſhes, or to work at any public or private edifice, and, in general, to work them to the greateſt advantage, either within or out of the ſaid workhouſe; and that the profits and advantages that ſhall ariſe from the labour of ſuch diſorderly perſons, or ſuch idle and runaway ſlaves, ſhall be applied towards the ſupport and maintenance of the ſaid public workhouſe: And in caſe any ſurplus ſhall ariſe after ſuch ſupport and maintenance, then ſuch ſurplus ſhall be applied towards the ſupport and maintenance of the ſick, maimed, infirm, and diſabled, tranſient poor in the public hoſpital of the ſaid pariſh.

When workhouses are ready they are to be advertised;

and vagrants, &c. as well as runaway ſlaves, received.

Runaways to be employed in mending roads, or at buildings, &c.

Proceeds to be applied to the maintenance of the workhouses; and overplus go to the hoſpital.

VIII. And be it further enacted by the authority aforeſaid, That all laws now in force binding on the provoſt-marſhal or any of his deputies, or on the keeper of any gaol in this iſland, for the payment of any reward or mile-money for the apprehending or conveying to gaol any runaway ſlaves, ſhall be equally binding on the ſuperviſor or intendant of the ſaid public workhouſe, or on the perſon or perſons appointed to manage the ſame by the preſident, guardians, and governors thereof, who ſhall pay ſuch reward or mile-money as the ſame is or ſhall be regulated by any law of this iſland; and all ſuch rewards and mile-money, ſo to be paid by the preſident, guardians, and governors, or by the ſuperviſor or intendant, or by the perſons ſo appointed by the ſaid preſident, guardians, and governors, ſhall

Supervisors to pay rewards and mile-money for runaways, as marſhals have hitherto done;

which are to be repaid when they are taken out;

together with 6d. *per* day for maintenance, and 2d. for medical care.

ſhall be repaid them by the maſter, owner, or proprietor of ſuch ſlave, together with ſix pence *per* day for every twenty-four hours ſuch ſlave or ſlaves ſhall have been in cuſtody for maintenance, and two pence for medical care, before ſuch owner, maſter, or proprietor, ſhall be authorized to receive him, her, or them, from the public workhouſe.

Treaſurer and other officers muſt give ſecurity.

IX. And be it further enacted by the authority aforeſaid, That every perſon, elected or appointed to be treaſurer, or to any other office in any of the ſaid public workhouſes or public hoſpitals, ſhall, before he takes upon himſelf the truſt hereby to be repoſed in him, enter into good and ſufficient ſecurity to the preſident, guardians, and governors, for the faithful diſcharge of his duty, and ſhall, as well as all other officers, be removable at pleaſure, or as often as the ſaid preſident, guardians, and governors, ſhall ſee occaſion.

Felons to be kept ſeparate from other ſlaves.

X. And be it further enacted by the authority aforeſaid, That all ſuch ſlaves as are and ſhall be committed to the ſaid public workhouſe, under ſentence of a ſlave-court, ſhall be fed and lodged ſeparate and apart from the other ſlaves in the ſaid workhouſe; and that a ſlave, ſent to the workhouſe either by order of his maſter, owner, or poſſeſſor, or under the commitment of one or two juſtices of the peace, ſhall never be chained with a ſlave committed for a felony.

Supervisor not to receive infirm ſlaves ſent by their owners;

XI. And be it further enacted by the authority aforeſaid, That it ſhall be lawful for the ſuperviſor or overſeer, appointed by the preſident, guardians, and governors, of a workhouſe, to refuſe to admit into the ſaid workhouſe ſuch ſlaves as may be ſent to the ſaid workhouſe by their maſter, owner, or poſſeſſor, or any perſon acting for or under them, or either of them, whenever the ſurgeon of the ſaid workhouſe ſhall, upon view of ſuch ſlave or ſlaves, declare, in writing under his hand, that ſuch ſlave or ſlaves is or are not able to undergo hard labour, either from age, ſickneſs, or infirmities:

but he may receive and feed, but not work, ſuch as are committed.

Provided nevertheleſs, That nothing in this act ſhall prevent ſuch ſuperviſor or overſeer from receiving ſuch wandering, ſick, aged, or infirm, ſlave or ſlaves, committed to ſuch workhouſe by any one juſtice of the peace in this iſland, there to be clothed, lodged, and fed (but not worked), at the expence of the maſter, owner, or poſſeſſor, of ſuch ſlave or ſlaves.

List of infirm ſlaves, and their fees, to be given in at quarter-ſeſſions.

XII. And be it further enacted and ordained by the authority aforeſaid, That the preſident, guardians, and governors, of every ſuch workhouſe, ſhall cauſe the ſuperviſor or overſeer of the ſame to make out a juſt and true liſt, upon oath, of all ſuch wandering, ſick, aged, or infirm, ſlaves as ſhall have been committed to ſuch workhouſe, together with a copy of the commitment, and an account of the fees due to ſuch workhouſe for ſuch wandering, ſick, aged, or infirm, ſlave or ſlaves, and to deliver the ſame to the preſiding magiſtrates at each of the courts of quarter-ſeſſions to be

be holden for the pariſh or precinct where ſuch workhouſe ſhall be ſituate: And ſuch magiſtrates, ſo preſiding at ſuch courts of quarter-ſeſſions as aforeſaid, are hereby authorized, empowered, and required, to inquire whether the maſter, owner, or poſſeſſor, of ſuch wandering, ſick, aged, or infirm, ſlave or ſlaves, has or have been proceeded againſt in ſuch manner as is provided and directed by the fourth clauſe of an act, paſſed in the year of our Lord one thouſand ſeven hundred and eighty-eight, entitled, *An act to repeal an act entitled, "An act to repeal ſeveral acts, and clauſes of acts, reſpecting ſlaves, and for the better order and government of ſlaves; and for other purpoſes;" and alſo to repeal the ſeveral acts, and clauſes of acts, which were repealed by the act entitled as aforeſaid; and for conſolidating, and bringing into one act, the ſeveral laws relating to ſlaves; and for giving them further protection and ſecurity; for altering the mode of trial of ſlaves charged with capital offences; and for other purpoſes*; and, if no ſuch proceedings have been had or taken againſt ſuch maſter, owner, or poſſeſſor, of ſuch wandering, ſick, aged, or infirm, ſlave or ſlaves, then the ſaid magiſtrates, preſiding at ſuch court of quarter-ſeſſions, as aforeſaid, are hereby authorized, empowered, and required, to cauſe ſuch maſter, owner, or poſſeſſor, his, her, or their attorney or agent, and ſuch other perſons as they ſhall judge neceſſary to be ſummoned, to be and appear before them at their next court of quarter-ſeſſions, to enable them to judge and determine whether ſuch maſter, owner, or poſſeſſor, ought to incur the penalty of ten pounds, inflicted on him or them by the ſaid fourth clauſe of the ſaid recited act, and accordingly to compel the ſame to be levied on the goods and chattels of the ſaid maſter, owner, or poſſeſſor, of ſuch wandering, ſick, aged, or infirm, ſlave or ſlaves, by warrant of diſtreſs under their hands and ſeals, directed to any one or more lawful conſtable or conſtables, or to acquit and diſcharge ſuch maſter, owner, or poſſeſſor, according as to ſuch preſiding magiſtrate ſhall ſeem right and proper to be done: And if it ſhall appear to ſuch magiſtrates, preſiding at ſuch courts of quarter-ſeſſions as aforeſaid, that any juſtice of the peace, of the pariſh or precinct where ſuch quarter-ſeſſions ſhall be held, hath refuſed, declined, or neglected, to do the duty required of him by the ſaid clauſe of the ſaid herein before-recited act, then, and in ſuch caſe, the ſaid magiſtrates preſiding in ſuch courts of quarter-ſeſſions, as aforeſaid, ſhall adjudge and determine ſuch juſtice, ſo having refuſed or declined to do his duty in the premiſes, to have incurred the penalty of twenty pounds, impoſed on him by the ſaid recited act, for ſuch his neglect of duty therein, and to cauſe the ſame to be levied upon the goods and chattels of ſuch juſtice ſo neglecting his duty as aforeſaid, by warrant under their hands and ſeals, to be directed to any one or more lawful conſtable or conſtables.

Magiſtrates to inquire if owners have been proceeded againſt as directed by 29 *Geo.* III. *cap.* 2, *which act is expired, but the clauſe re-enacted by* 32 *Geo.* III. *cap.* 23.

If they have not, they are to be ſummoned for next court, that the matter may be inquired into,

and either have the penalty of 10*l.* levied on them, or be acquitted.

If it appear any juſtice had neglected his duty in the buſineſs, he is to be fined 20*l.* as ordered by ſaid act.

XIII. And be it further enacted by the authority aforeſaid, That no ſlave whatſoever ſhall be confined or kept to hard labour in any public workhouſe in this iſland for a longer ſpace of time than three calendar months,

Slaves not to be confined above three months, un-

less by sentence, &c. At the end of that time, they are to be advertised eight weeks for sale,

months, except under and by virtue of the judgment or ſentence of a ſlave-court, or warrant of any two juſtices of the peace; at the end or expiration of which ſpace of time the preſident, guardians, and governors, of any workhouſe where a ſlave ſhall have been ſo confined, are hereby empowered, directed, and required, to cauſe the height, name, marks, and ſex, and alſo the country, where the ſame can be aſcertained, of ſuch ſlave, together with the name of his or her owner, or, if unknown, then the name of the perſon by whom ſuch ſlave was committed, to be inſerted for the ſpace of eight weeks in the Gazette of Saint Jago de la Vega, the Royal Gazette of Kingſton, and the Cornwall Chronicle, for public ſale, at outcry, to the higheſt and beſt bidder, at the uſual place of public ſales in the pariſh where the ſaid ſlave ſhall be ſo kept or confined; and the monies

Proceeds to go to support of the workhouse.

ariſing from ſuch ſale, after deducting the fees due to the keeper or ſuperviſor of the workhouſe, and the expences of the ſaid advertiſements, ſhall be applied to the ſupport and maintenance of the ſaid workhouſe: And it is hereby declared, That the receipt of the preſident, guardians, and governors, of any public workhouſe, to the perſon or perſons becoming the purchaſer or purchaſers of any ſuch ſlave, for the amount of the purchaſe-money, ſhall be a good, valid, and effectual, ſale or conveyance to ſuch purchaſer or purchaſers, for any ſlave ſo ſold, and the ſame ſhall be a final bar to the title of the former owner of ſuch ſlave, or thoſe claiming under him, her, or them; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding: Provided nevertheleſs, That infants, women under coverture, perſons of nonſane mind and memory, and perſons out of this iſland, ſhall have liberty, by themſelves, their agents, or attornies, to commence their action in replevin for ſuch ſlave or ſlaves, or the iſſue and increaſe of any ſuch ſlave or ſlaves, within ſuch times after the diſability removed as are reſpectively herein after limited; that is to ſay, infants within five years after they come to the age of twenty-one years, women under coverture within five years after the death of their immediate huſbands, perſons of unſound mind and memory within five years after they become of ſound mind and memory, and perſons of full age out of this iſland within five years from the time of ſuch ſale or purchaſe, or otherwiſe ſuch perſons are hereby declared to be barred for ever, according to the true intent and meaning of this act; any law, cuſtom, or uſage, to the contrary notwithſtanding: Provided always, That nothing in this act contained ſhall extend, or be conſtrued to extend, to bar the rights of any perſon or perſons intitled in reverſion, remainder, or expectancy, but that all and every ſuch perſon or perſons ſo intitled in reverſion, remainder, or expectancy, ſhall be at liberty to proſecute ſuch rights within five years after his, her, or their title ſhall accrue: Provided always nevertheleſs, That if, at any time afterwards, within two years from the time of the ſale of any ſuch ſlave or ſlaves, the owner or owners, or perſons claiming under them or any of them, of any ſuch ſlave ſo ſold as aforeſaid, ſhall apply to the preſident, guardians, and governors, of any public workhouſe, for the monies

Receipt of the president, &c. to be a good conveyance,

and bar all claim of former owner.

Exception for incapable persons,

and those intitled to reversion, &c.

If owners apply within two years after sale, they are to receive monies slaves sold for, de-

nies

nies ariſing from the ſale of any ſuch ſlave or ſlaves, he, ſhe, or they, ſo applying and proving to the ſaid preſident, guardians, and governors, their former right or title to the ſlave or ſlaves in queſtion, ſhall be, and they are hereby declared, intitled to receive from them the amount of the ſale of ſuch ſlave or ſlaves, firſt deducting the fees due to the workhouſe, and fees of advertiſement; and ſuch preſident, guardians, and governors, are hereby required and directed immediately thereupon to pay over the balance of the ſaid ſale to ſuch owner or owners, or perſons claiming under them, or any of them. ducting all expences.

XIV. And be it further enacted by the authority aforeſaid, That no perſon or perſons whatſoever, in poſſeſſion of any ſlave or ſlaves ſo purchaſed as aforeſaid, or of the iſſue and increaſe of any ſuch ſlave or ſlaves, or by deſcent, marriage, or purchaſe for valuable conſideration, ſhall be liable to pay any hire, rent, or other ſatisfaction, by way of meſne profits, for any ſuch ſlave or ſlaves, for the time or times he, ſhe, or they, ſhall have held or poſſeſſed the ſame, or for any part thereof; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding. Perſons purchaſing ſuch ſlaves not liable to pay hire for the time they had them.

CAP. XII.

An act declaring that the proclaiming martial law hath not made, nor ſhall make at any time or times hereafter, a diſcontinuance of ſuits and proceſs at the common law; and to give effect to recogniſances reſpited, taken, or returnable, at or to the ſupreme court of judicature of this iſland; and to prevent an undue priority being had or obtained of judgments of the laſt November grand court, and the next Surrey aſſizes in January, over judgments to be obtained at the aſſizes to be holden for the county of Cornwall, on the laſt Tueſday in March, in the next year.—[16th December, 1791.]

WHEREAS it has been found neceſſary by his honour the lieutenant-governor, with the advice of a council of war, for the ſafety and ſecurity of this iſland, to proclaim martial law; which will continue and be in force for the ſpace of thirty days, a time ſubſequent to the uſual day of terminating the ſupreme court of judicature for the laſt Tueſday in November: And whereas ſome doubts and difficulties may ariſe, touching the continuance of ſuits and proceſs depending before the ſaid ſupreme court, and actions that were and are to be tried there, and in the court of aſſize, oyer and terminer and gaol delivery, to be held at the town of Savanna-la-Mar, in and for the county of Cornwall, on the laſt Preamble.

laſt Tueſday in December, in the preſent year of our Lord one thouſand ſeven hundred and ninety-one; and the continuing of recogniſances and criminal proceſs, returnable at the laſt court of aſſize, oyer and terminer and gaol delivery, for the county of Cornwall; and proceſs, both civil and criminal, returnable before the ſaid ſupreme court, and recogniſances for the appearances at the ſame, and at the ſaid court of aſſize, oyer, and terminer and gaol delivery: For obviating and preventing whereof, We, your majeſty's dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, do moſt humbly beſeech your majeſty that it may be enacted and declared; Be it therefore enacted and declared by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and declared by the authority of the ſame, That the martial law being in force at a time when the ſaid ſupreme court, for the laſt Tueſday in November, ſhould have terminated according to law, did not make, or cauſe to be made, a diſcontinuance of any ſuits or proceſs depending before the ſaid ſupreme court of judicature, or actions to be tried there, or in the ſaid court of aſſize, oyer and terminer and gaol delivery, for the county of Cornwall; but that all actions, informations, indictments, and other ſuits, criminal or civil, or of any kind whatſoever, then depending or triable there, ſtood continued in as full and ample manner as if martial law had not been in force at a time previous to the uſual day of terminating the ſupreme court of judicature for the laſt Tueſday in November; and alſo, that all writs and other proceſs, returnable in or to the ſaid court of aſſize and ſupreme court of judicature, ſhall be, or conſtrued to be, returned into the office of the clerk of the ſaid ſupreme court of judicature, and the office of the clerk of the crown, reſpectively, as if martial law had not been in force at the time aforeſaid; and that all actions wherein iſſue was joined, or whereon an aſſeſſment of damages ought to be, and the *venue* laid for the county of Cornwall, and tranſmitted to the ſaid court of aſſize, oyer and terminer and gaol delivery, for the county of Cornwall, and to be tried at the court of aſſize, oyer and terminer and gaol delivery, for the ſaid county of Cornwall, the laſt Tueſday in December, in the preſent year of our Lord one thouſand ſeven hundred and ninety-one, ſhall have the ſame force and effect as if martial law had not then been in force; and that all recogniſances for appearance of parties at the court of aſſize, oyer and terminer and gaol delivery, for the county of Cornwall, which ought to have been holden on the laſt Tueſday in December inſtant, ſhall be and are hereby reſpited, and day given to the parties, bound to appear on the ſaid day, to the laſt Tueſday in March next; at which day, if the ſaid parties do not appear, that the perſon or perſons ſo not appearing, his, her, or their ſecurity or ſecurities reſpectively, ſhall be liable to the ſame forfeitures of recogniſances, and other penalties, as if the ſaid martial law had not intervened, and he, ſhe, or they, had made default; any law, cuſtom, or uſage, to the contrary thereof, in anywiſe notwithſtanding.

Martial law, being now in force, is not to make a diſcontinuance of any ſuits in the grand court or Cornwall aſſizes.

All returnable process is to be deemed to have been returned to clerks of court and crown.

Actions in Cornwall, wherein issue was joined, or damages ought to have been assessed in December court, to have the same effect as if there was no martial law.

Recogniſances for December court reſpited;

and parties bound to appear in March next.

II. And

II. And be it further enacted and ordained by the authority aforesaid, That the proclaiming of martial law shall not, at any time or times hereafter, make, or cause to be made, a discontinuance of any suits or process, civil or criminal, then depending or being in any of the courts of this island; but that, if martial law shall actually be in force on any of the days and times that the supreme court of judicature ought to be held as appointed by law, that, in all such cases, all suits and process, civil or criminal, shall be continued, and all recognisances respited, and all writs deemed and construed to be returned, and, from the ceasing and taking off martial law, shall be in as full force and effect, and the same proceedings had therein, and the usual process shall issue thereon, bearing such teste, and returnable in such manner, as if the ordinary course of the law had been pursued, and martial law had not intervened, notwithstanding such teste shall be on a day when the martial law was in full force and effect; any law, custom, or usage, to the contrary thereof in anywise notwithstanding: Provided always, That if either or any of the courts of assize, oyer and terminer and gaol delivery, for the counties of Surrey and Cornwall, shall at any time be not held on account of the martial law being then in force, the judgments to be obtained at the court of assize, oyer and terminer and gaol delivery, for any or either of the said counties of Surrey and Cornwall, subsequent to the taking off martial law, and the writ of execution to be duly lodged thereon, shall have the same priority of judgment and execution as if they had been taken at the court of assize, oyer and terminer and gaol delivery, so prevented or suspended by means of martial law; any thing herein-before contained to the contrary in anywise notwithstanding.

Martial law not hereafter to occasion a discontinuance of any process; but suits to be continued, recognisances respited, and writs construed to have been returned.

Judgments in assize courts to maintain priority, notwithstanding a court lost.

III. And whereas, by reason that the martial law will be in force on the last Tuesday in December instant, no action or suit can be tried at the court of assize, oyer and terminer and gaol delivery, which ought to have been holden for the county of Cornwall on the said last Tuesday in December instant: And whereas it is but just that his majesty's subjects, who had actions and suits then and there depending, and to be there tried, should not, by reason of such martial law, suffer in point of priority: Be it therefore enacted and ordained by the authority aforesaid, That all judgments to be obtained at the next court of assize, oyer and terminer and gaol delivery, to be holden in and for the said county of Cornwall, and whereon his majesty's writ of execution shall issue, in the usual manner, returnable and returned to the supreme court of judicature, shall have an equal priority and concurrent right with judgments obtained either at the supreme court of judicature, held at the town of St. Jago de la Vega, on the last Tuesday in November last, or the court of assize, oyer and terminer and gaol delivery, that may or shall be held at the town of Kingston, in and for the county of Surrey, the last Tuesday in January next; any law, custom, or usage, to the contrary thereof, in anywise notwithstanding.

Judgments of next Cornwall assizes to have equal priority with those of last November grand court and next Surrey assizes.

CAP.

CAP. XIII.

An act to repeal an act entitled, "An act for licensing hawkers and pedlars; and for applying the monies to arise from granting such licenses towards the support and maintenance of the poor of the parishes where such licenses are granted;" and for prohibiting the practice of hawking and pedling within the parishes of this island.

[16th December, 1791.]

Preamble.

WHEREAS an act of the lieutenant-governor, council, and assembly, of this island, entitled, *An act for licensing hawkers and pedlars; and for applying the monies to arise from granting such licenses towards the support and maintenance of the poor of the parishes where such licenses are granted*, passed in the year of our Lord one thousand seven hundred and eighty-nine, hath been found inadequate to the purposes for which the same was intended, and hath been productive of the clandestine disposal, by slaves, of silver plate and sundry other valuable articles, from houses and plantations, to the great loss of individuals: And whereas it is manifest that, by permitting hawkers, pedlars, petty chapmen, and other trading persons, to travel about the country from place to place, and expose to sale all kinds of goods, wares, and merchandises, among negroes, strong temptations are held out to slaves to continue to embezzle the effects and property of their owners, whereby many improper articles are easily procured by them; insomuch, that great and serious evils may be apprehended from such practices, if not prevented in future: May it please your most excellent majesty that it may be enacted, and be it therefore enacted by the lieutenant-governor, council, and assembly, of this your majesty's island of Jamaica, and it is hereby enacted by the authority of the same,

Repeal of recited act.

That the said act, and every the clause and clauses therein, and every part thereof, be and stand annulled, repealed, and made void, and are hereby annulled, repealed, and made void, to all intents and purposes whatsoever.

If persons, of whatever description, are found hawking goods, any person may take them before a magistrate,

II. And be it further enacted by the authority aforesaid, That, from and after the passing of this act, if any hawker, pedlar, and petty chapman, whether white person, mulatto, Indian, free negro, or slave, shall be found travelling about from place to place, exposing or offering for sale any goods, wares, and merchandises, it shall and may be lawful for any person whatever to seize and detain any such hawker, pedlar, petty chapman, or other trading person, and to carry such person before any one of his majesty's justices of the peace of the parish where such offence shall be committed;

who is to require the assistance of another;

which said justice is hereby authorized and required to call to his assistance one other justice of the said parish; and which two justices being so associated shall, on due proof on oath that the party or parties so

brought

brought before them had been found hawking, pedling, or trading, contrary to the true intent and meaning of this act, cauſe the goods, wares, and merchandiſes, ſo offered for ſale, to be publicly ſold, by warrant under the hands and ſeals of the ſaid two juſtices; one moiety of the money ariſing from the ſale thereof, after a deduction of one ſhilling in the pound on the whole amount, to defray the expences attending the ſale, to be paid into the hands of the churchwardens of the pariſh where the offence ſhall be committed, for the uſe of the poor of the ſaid pariſh, and the other moiety to the uſe of the perſon or perſons who ſhall bring the offender or offenders before the ſaid juſtices: Provided always, That nothing in this act is meant or intended to prohibit any ſhopkeeper or other trader, living in any of the towns of this iſland, to ſend goods, wares, and merchandiſes, from houſe to houſe, in any of the ſaid towns in which ſuch ſhopkeeper or other trader ſhall reſide, ſo as the ſame be not done with an intention to hawk or peddle.

and they, on proof of the offence, may order the goods to be ſold.

Application of proceeds.

In towns, traders may move goods from houſe to houſe.

CAP. XIV.

An act to regulate the fees of the governor's ſecretary.—[16th December, 1791.] EXPIRED.

CAP. XV.

An act for laying a duty on all wines, and upon brandy, gin, rum, and other diſtilled ſpirits, retailed within this iſland; and for laying a further tax on licenſes to be granted for the retailing of brandy, gin, rum, and other diſtilled ſpirits, and on the public offices; and for applying the ſame to ſeveral uſes.—[16th December, 1791.] EXPIRED.

CAP. XVI.

An act for continuing ſo much of the preſent law, commonly called the poll-tax law, as relates to the tax on trades, ſupercargoes, and maſters of veſſels, for three months longer.—[16th December, 1791.] EXPIRED.

CAP. XVII.

An act for the further regulation of the ſervice and execution of proceſs, and the returns thereof, and rendering the duty of jurors more equal; for empowering the ſupreme court of judicature to grant ſpecial juries, and alſo commiſſions for the examination of witneſſes de bene eſſe, *directed to ſuch perſons as they ſhall think fit; for repealing an act, paſſed in the year of our Lord one thouſand ſeven hundred and ſeventy-nine, entitled, "An act empowering any one of the judges of the ſupreme court of judicature to take the examination of witneſſes leaving this iſland, in any action brought, or to be brought, for the recovery of debts actually in ſuit, in the ſame manner as if ſuch examination had been taken and returned under the ſeal of the city of London, purſuant to an act of parliament paſſed in the fifth year of the reign of George the ſecond;" and for empowering the judges of the ſaid ſupreme court of judicature to take the examination of witneſſes leaving* EXPIRED.

the iſland, during the vacation between the ſitting of the ſaid ſupreme court; for granting a daily ſubſiſtence to crown witneſſes confined in goal for want of ſecurity; and for other purpoſes in the ſaid act mentioned.—[16th December, 1791.]

CAP. XVIII.

EXPIRED. *An act for eſtabliſhing and declaring rules and articles of war.*—[16th December, 1791.]

CAP. XIX.

EXPIRED. *An act for the more ſpeedy collection of the public taxes, and the arrears thereof now due.*—[16th December, 1791.]

CAP. XX.

EXPIRED. *An act for granting pay, or otherwiſe ſubſiſting the non-commiſſioned officers and privates of the militia, during martial law; and for other purpoſes.*—[16th December, 1791.]

CAP. XXI.

EXPIRED. *An act to appoint commiſſioners to inſpect the books of the receiver-general, and to ſettle and adjuſt the public accounts.*—[16th December, 1791.]

CAP. XXII.

REPEALED. *An act to revive and continue an act entitled, "An act to repeal an act entitled, 'An act to repeal ſeveral acts, and clauſes of acts, reſpecting ſlaves; and for the better order and government of ſlaves; and for other purpoſes;' and alſo to repeal the ſeveral acts, and clauſes of acts, which were repealed by the act entitled as aforeſaid; and for conſolidating, and bringing into one act, the ſeveral laws relating to ſlaves; and for giving them further protection and ſecurity; for altering the mode of trial of ſlaves charged with capital offences; and for other purpoſes.*—[16th December, 1791.]

CAP. XXIII.

EXPIRED. *An act to repeal an act entitled, "An act to repeal ſeveral acts, and clauſes of acts, reſpecting ſlaves; and for the better order and government of ſlaves; and for other purpoſes;" and alſo to repeal the ſeveral acts, and clauſes of acts, which were repealed by the act entitled as aforeſaid; and for conſolidating and bringing into one act, the ſeveral laws relating to ſlaves; and for giving them further protection and ſecurity; for altering the mode of trial of ſlaves charged with capital offences; and for other purpoſes.*—[10th March, 1792.]

CAP. XXIV.

EXPIRED. *An act to oblige the ſeveral inhabitants of this iſland, to provide themſelves with a ſufficient number of white men, white women, or white children, or pay certain ſums of money in caſe they ſhall be deficient, and applying the ſame*

to ſeveral uſes; to protect freeholders on the days of chooſing churchwardens and veſtrymen; and to aſcertain who ſhall be deemed duly qualified to vote at ſuch elections.—[10th March, 1792.]

CAP. XXV.

An act for appointing commissioners for purchasing a ſufficient quantity of land for enlarging the barrack in the town of St. Jago de la Vega.—[10th March, 1792.]

WHEREAS it is neceſſary for, and would add greatly to, the convenience of his majeſty's troops quartered in the town of St. Jago de la Vega, that the barrack and barrack-yard in the ſaid town ſhould be enlarged: Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That the honourable William Mitchell, eſquire, John Rodon, Philip Redwood, Francis Rigby Brodbelt, John Weir, Samuel Whitehorne, James Jones, and George Cruickſhank, eſquires, or any three of them, be, and they are hereby conſtituted and appointed, commiſſioners for the purpoſe of carrying this act into execution; and that the commiſſioners aforeſaid, or any three or more of them, ſhall meet together at the court-houſe in the ſaid town of St. Jago de la Vega, on or before the tenth day of May next, in order to put this act in execution; and ſhall, after their firſt meeting, as often as they, or any three or more of them, ſhall think proper, meet and aſſemble in ſuch places, and at ſuch times, as to them ſhall ſeem moſt convenient for the purpoſes aforeſaid.

Preamble.

Commissioners appointed for enlarging the barrack at Spanish-Town.

II. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid commiſſioners, or any three or more of them, and they are hereby empowered, at any time or times at and after their firſt meeting, to deſign, aſſign, and lay out, how and in what manner, and with what materials, any barrack or barracks, for the officers or ſoldiers, ſhall be made, erected, and built, and to agree with the owner or owners, occupier or occupiers of, and any other perſons intereſted in, any lands, houſes, or buildings, they ſhall judge fit to be purchaſed for the purpoſes aforeſaid, and to purchaſe the ſame for ſuch reaſonable price and conſideration as, between them and the ſaid owner or owners, occupier or occupiers of ſuch lands and premiſes, and all other perſon or perſons intereſted in the ſame, ſhall be agreed upon, and to erect and build ſuch barrack and barracks, for the officers or ſoldiers, as they ſhall judge neceſſary and fit.

They are to deſign the building,

agree with the poſſeſſors of lands, &c. which may be neceſſary to be purchaſed,

and erect the additional barrack.

III. And, in caſe the owner or owners, occupier or occupiers, and other perſon or perſons intereſted in ſuch lands, houſes, and buildings, as ſhall

be neceſſary to be purchaſed for the purpoſes aforeſaid, ſhall refuſe to ſell and convey the ſame, or, through diſability, by non-age, coverture, or ſpecial tail, or other impediment, cannot treat for themſelves, and grant and convey ſuch lands and premiſes as may be required to be granted and conveyed, or, by reaſon of abſence from the iſland, or otherwiſe, ſhall be unable to grant and convey as aforeſaid, then, be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any juſtice of the peace of the pariſh of St. Catherine, upon application made to him by the ſaid commiſſioners, or any three or more of them, to iſſue his warrant to the provoſt-marſhal-general to empannel, ſummon, and return, a competent number of perſons, qualified to ſerve on juries, ſuch number not to be leſs than twenty-four, out of which perſons, ſo to be empannelled, ſummoned, and returned, a jury of twelve perſons ſhall be drawn by ballot, to be and appear at ſuch time and place as in the ſaid warrant ſhall be expreſſed; who, upon their oaths (which oaths, and alſo the oaths of the witneſs and witneſſes to be called before the ſaid jury, the ſaid juſtice is hereby empowered and authorized to adminiſter), ſhall inquire of the value of the lands, meſſuages, tenements, and hereditaments, and of the reſpective eſtate and intereſt of every perſon ſeiſed or poſſeſſed thereof, or intereſted therein, or of or in any part thereof, and ſhall aſſeſs and award the ſum or ſums to be paid to every ſuch perſon or perſons, for the purchaſe of ſuch their eſtates and intereſt, and the ſaid jury ſhall give judgment for ſuch ſum or ſums of money ſo to be aſſeſſed; which judgment or determination thereupon (notice in writing being given to the perſon or perſons intereſted, at leaſt five days before the time of ſuch aſſeſſment, declaring the time and place of the meeting of the ſaid juſtice and jury, by leaving ſuch notice at the dwelling-houſe of ſuch perſon or perſons, or at his, her, or their uſual place or places of abode, or with ſome tenant or occupier of the ſaid lands, tenements, or hereditaments, intended to be valued and aſſeſſed, in caſe ſuch party be abſent from the iſland, or cannot otherwiſe be found to be ſerved with ſuch notice) ſhall be binding and concluſive, to all intents and purpoſes whatſoever, againſt all and every perſon or perſons whomſoever claiming any eſtate, right, title, truſt, uſe, or intereſt, in, to, or out of, the ſaid lands, tenements, or hereditaments, either in poſſeſſion, reverſion, remainder, or expectancy; and the valuation and appraiſement of the ſaid lands, meſſuages, tenements, and hereditaments, ſhall be paid, by the ſaid commiſſioners, or any three or more of them, out of the monies granted by this or any ſubſequent act for the purpoſes aforeſaid, to the perſon or perſons intitled to receive the ſame: And the ſaid commiſſioners, or any three or more of them, are hereby empowered, by warrant or warrants under their hands and ſeals, from time to time, as occaſion ſhall require, to call before the juries, to be warned as aforeſaid, any perſon or perſons who ſhall be thought neceſſary to be examined as witneſſes touching or concerning the premiſes: Which ſaid verdicts and proceedings of the ſaid commiſſioners and juries, ſo to be made, as ſhall relate

If owners refuſe to ſell, or other impediments occur, a jury to be ſummoned;

who, on oath, are to value the lands, &c.

and their determination is to be final, five days previous notice having been given to parties intereſted.

Valuation to be paid by commiſſioners;

who may ſummon witneſſes to attend the jury,

Verdicts to be recorded, and admitted as

late

late to any lands or premiſes, being fairly written by the commiſſioners clerk, under the hands and ſeals of the ſaid provoſt-marſhal and juries, ſhall be returned into the ſecretary's office of this iſland, and recorded and kept among the records there, and ſhall be deemed and taken to be records of the ſaid iſland, to all intents and purpoſes whatſoever; and the ſame, or true copies thereof, ſhall be taken, adjudged, and deemed, good and effectual evidence and proof in any courts, of law or equity, in this iſland: And, from and immediately after ſuch return of any ſuch proceedings, it ſhall and may be lawful to and for the ſaid commiſſioners, and for their agents, workmen, and ſervants, to pull down any houſe or houſes, building or buildings, mentioned in the ſaid proceedings, and to uſe ſuch lands, hereditaments, and premiſes, and thereon to erect and make ſuch buildings and erections as may be neceſſary in the premiſes; and this act ſhall be ſufficient to indemnify the ſaid commiſſioners, and all and every perſon and perſons by them, or any of them, authorized and empowered, or acting under the ſame, againſt the ſaid owners, tenants, or occupiers, their heirs, ſucceſſors, executors, adminiſtrators and aſſigns, and all and every other perſon and perſons, to all intents and purpoſes whatſoever.

evidence in all courts.

After proceedings returned, houses may be pulled down, and lands made use of.

IV. And be it further enacted, That if the ſaid land, or any part thereof, ſhould be diſpoſed of by ſale and conveyance, that the deed or inſtrument of conveyance ſhall veſt, by proper words to be therein inſerted, the freehold and inheritance of the ſame in his majeſty, his heirs and ſucceſſors, for the uſe of the public of this iſland.

In cases of sale, conveyances to be to the crown;

V. And be it further enacted, That where the ſaid lands, or any part thereof, ſhall be valued by a jury as above directed, that, upon the return of the ſaid inquiſition, the ſaid land and premiſes, ſo valued, ſhall be deemed thereby veſted in his majeſty, his heirs and ſucceſſors: Provided, That the ſaid proprietor or owner of the ſaid premiſes, ſo returned valued, ſhall be thereby intitled to receive and have, from the ſaid commiſſioners, or any three or more of them, orders on the receiver-general for the ſum or amount, when demanded.

and lands be deemed vested therein, in those of valuation.

Monies to be paid on demand.

VI. And be it further enacted by the authority aforeſaid, That the ſum of fifteen thouſand pounds, granted, by a clauſe in the poll-tax law, paſſed or to be paſſed in this preſent ſeſſion, to the order of the commiſſioners of forts, fortifications, and public buildings, ſhall be by them appropriated and applied, towards the purchaſing the ſaid lands, tenements, meſſuages, hereditaments, and premiſes, aforeſaid, and erecting and building the ſaid barrack or barracks, to the order or orders of the commiſſioners of this act, or any three or more of them, ſignified by writing under their hands.

15,000*l.* granted to commissioners of forts, &c. to be by them paid to commissioners of this act.

VII. And be it further enacted by the authority aforeſaid, That all artificers and others who ſhall make any contract or agreement with the ſaid commiſſioners,

Security to be given by artificers for

performance of contracts.

commiſſioners, or any three or more of them, for building or finiſhing all or any part of the ſaid barrack or barracks, intended to be erected and built by virtue of the powers and authorities given in and by this act, ſhall give ſecurity, to be approved of by the ſaid laſt-mentioned commiſſioners, or any three or more of them, for the due performance of all and every the matters and things contained in ſuch contract or contracts, agreement or a reements, according to the true intent and meaning of the ſame.

Commissioners may appoint and remove clerks and other officers,

VIII. And be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for the ſaid commiſſioners, or any three or more of them, at any time or times hereafter, by writing or writings under their hands, to appoint ſuch perſon or perſons to be clerk or clerks, and ſuch other officer or officers, as they ſhall think fit, for doing ſuch acts as may be neceſſary in the execution of the powers and authorities hereby given to the ſaid commiſſioners; which clerk or other officer ſhall, from time to time, be removable at the will and pleaſure of the ſaid commiſſioners, or any three or more of them, by inſtrument or inſtruments in writing under the hands of the ſaid commiſſioners, or any three or more of them; and the ſaid commiſſioners, or any three or more of them, ſhall and may make ſuch allowances unto ſuch clerk or clerks, or other officer or officers, to be employed by and under the ſaid commiſſioners, for their care and pains in the execution of their reſpective offices, as the ſaid commiſſioners ſhall think reaſonable: Provided always, That no perſon appointed, or to be appointed, a commiſſioner for putting this act in execution or any of the powers or authorities aforeſaid, ſhall be capable of acting as a commiſſioner during ſuch time as he ſhall have or execute any office or place of profit under or by the authority of this act, or during ſuch time as he ſhall have any ſhare or intereſt in any contract or agreement for effecting the purpoſes aforeſaid.

and appoint them salaries.

No commissioner to be concerned in any contract under this act.

Public act.

IX. And it is hereby further declared, That this act is a public act, and ſhall be deemed and taken notice of as ſuch by the judges, juſtices, and others, in all courts and places in this iſland, without ſpecially pleading the ſame.

CAP. XXVI.

REPEALED. *An act to regulate the ſales of newly-imported negroes; and to prevent, as far as poſſible, the ſeparation of different branches of the ſame family.*—[10th March, 1792.]

CAP.

CAP. XXVII.

An act to declare that an act of the English parliament, which passed in the ninth and tenth years of the reign of William the third, chapter 41, *entitled,* " An act for " the better preventing the embezzlement of his ma- " jesty's stores of war; and preventing cheats, frauds, " and abuses, in paying seamens wages," *is to be in force in this island.*—[10th March, 1792.]

Preamble.

WHEREAS an act of the English parliament was passed in the ninth and tenth years of the reign of king William the third, entitled, " An act for the better preventing the embezzlement of " his majesty's stores of war; and preventing cheats, frauds, and abuses, in " paying seamens wages:" And whereas the same doth not extend to this island, although great frauds and embezzlements are frequently practised and committed in his majesty's naval stores: For preventing of which in future, May it please your majesty that it may be enacted, and be it enacted by the lieutenant-governor, council, and assembly, of this island, That, from and after the passing of this act, the said act shall extend to, and be in force in, this island, and be introduced, used, accepted, received, and esteemed, as a law in this island, and shall and is hereby declared to be, and continue to be, a law of this island for ever.

Stat. 9 and 10 *Will.* III. *cap.* 41, declared in force in this island.

CAP. XXVIII.

An act to authorize and empower his honour Adam Williamson, esquire, and the commissioners named and appointed in and by an act of the governor, council, and assembly, of this island, passed in the year of our Lord one thousand seven hundred and fifty-nine, entitled, " *An act to augment the salary of his excellency George Haldane, esquire; and for providing certain lands and premises to be annexed to the government, for the use of the governor for the time being,*" *to lease out part of the said lands and premises.*—[10th March, 1792.]

OBSOLETE.

CAP.

CAP. XXIX.

An act to authorize and empower certain commissioners, therein named, to collect, print, and publish, all such public acts of this island as have been passed since the thirty-first day of December, one thousand seven hundred and ninety, and are now in force, and likewise, from time to time, to collect, print, and publish, all such other public acts of this island as may hereafter be passed; and for declaring the acts, so published, to be evidence in all cases whatsoever.—[10th March, 1792.]

30 Geo. III. cap. 20.

WHEREAS, by a law of this island, entitled, *An act to authorize certain commissioners, therein to be named, to compile, print, and publish, the several public acts of assembly of this island; and for declaring the acts, so published by the said commissioners, to be evidence in all cases whatsoever,* passed in the thirtieth year of his majesty's reign, certain commissioners, therein named, are authorized and appointed to collect, print, and publish, all the several public acts of this island, which should be in force on the thirty-first day of December, in the year of our Lord one thousand seven hundred and ninety: And whereas it is equally necessary and expedient, that the several public acts in force in this island, made and passed since the said thirty-first day of December, one thousand seven hundred and ninety, as well as all such other public acts as shall hereafter be passed, should from time to time be collected, printed, and published, under and by the direction and advice of certain commissioners, to be authorized and appointed for that purpose: May it please your most excellent majesty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and assembly, of this your majesty's island of Jamaica, and it is hereby enacted and ordained by the authority of the same, That the commissioners in the said recited act named, together with the honourable Thomas Iredell, president of the council, or the president of the council for the time being; the honourable Samuel Williams Haughton, speaker of the assembly, or the speaker of the assembly for the time being; the honourable George Crawford Ricketts, his majesty's attorney-general, or his majesty's attorney-general for the time being; and the five senior assistant judges of the grand court for the time being; be appointed and authorized to collect, print, and publish, all the several public acts in force in this island, made and passed since the thirty-first day of December, one thousand seven hundred and ninety, and also from time to time to collect, print, and publish, all such other public acts as shall hereafter be passed, for and during the term of fourteen years from and after the passing of this act.

Commissioners added to those appointed by recited act;

who are conjointly to publish laws passed since Dec. 1790, and those which may be passed within fourteen years.

II. And

II. And be it further enacted by the authority aforeſaid, That, immediately from and after the printing and publiſhing the ſame, ſuch acts, ſo printed and publiſhed by and under the authority of the ſaid commiſſioners, or any three or more of them, be taken and received as concluſive evidence in the ſeveral courts of juſtice of this iſland, in all caſes whatſoever; any law, cuſtom, or uſage, whatſoever notwithſtanding.

All laws published under their authority are to be evidence in courts.

III. And be it further enacted by the authority aforeſaid, That two copies of ſuch acts, ſo publiſhed as aforeſaid, be ſent to the lieutenant-governor, and two copies to each member of the council and aſſembly of this iſland, and two copies to the chief juſtice and each of the aſſiſtant judges of the ſupreme court, and one copy to each juſtice of aſſize, and one copy to each clerk of the peace and clerk of the veſtry, in each of the pariſhes of this iſland, for the uſe of ſuch pariſh.

Copies to be delivered to each member of the legislature, each judge, justice of assize, and clerk of peace and vestry.

IV. And be it further enacted by the authority aforeſaid, That the ſaid commiſſioners, or any three of them, be hereby authorized and empowered to grant, transfer, and aſſign, the copy-right of and in the ſaid laws, ſo to be collected, printed, and publiſhed, under their direction and authority, for a term not exceeding fourteen years, towards defraying the expences of printing the ſame.

Commissioners may assign copy-right for fourteen years.

V. And be it further enacted, That the receiver-general do pay, to the order of the ſaid commiſſioners, or any three of them, a ſum not exceeding the ſum of one thouſand one hundred and eighty pounds, current money of this iſland, towards the expence of printing ſuch of the ſaid laws as have been paſſed ſince the ſaid thirty-firſt day of December, one thouſand ſeven hundred and ninety, to the end of the preſent ſeſſion.

1180*l.* to be paid to their order by receiver-general, towards the expences.

CAP. XXX.

An act for building a stone bridge over the Rio Cobre, in the parish of St. Catherine.—[10th March, 1792.]

Preamble.

15 Geo. III. cap. 22.

WHEREAS, by an act of the governor, council, and aſſembly, of this iſland, entitled, *An act to repeal an act entitled,* "*An act for building a bridge over the Rio Cobre;*" *and for building a bridge over the Rio Cobre, in the pariſh of St. Catherine; and for other purpoſes therein mentioned,* it is enacted and ordained, That the honourable ſir Charles Price, baronet, ſpeaker, and the ſpeaker of the aſſembly for the time being, the honourable Edward Webley, eſquire, chief juſtice, or the chief juſtice for the time being, and the ſeveral other perſons therein named, ſhould be, and they were thereby appointed, truſtees for putting that act into execution; and they, or any ſeven or more of them, were thereby authorized and empowered to deſign, direct, order, and build, a bridge over the ſaid river called the Rio Cobre: And whereas, in purſuance of the ſaid act,

Recital of *clause* 1 *of the above act.*

act, a bridge of wood was erected over the ſaid river, at the place by the ſaid act directed: And whereas the ſaid bridge has frequently been ſhut up, by reaſon of the decay of the materials with which the ſame is built, and the repairs thereof have been attended with conſiderable expence: And whereas the erecting a ſtone bridge over the ſaid river will, in future, prevent the like obſtructions, be more ſafe, and will eventually be attended with leſs expence than the ſupporting and keeping in repair the preſent bridge: We, therefore, your majeſty's moſt dutiful and loyal ſubjects, the aſſembly of this your majeſty's iſland of Jamaica, do moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your majeſty's ſaid iſland, and it is hereby enacted by the authority of the ſame, That the commiſſioners named in the ſeveral acts relating to the bridge and public road leading from Spaniſh-Town to Kingſton, now living, the members of the council and aſſembly for the time being, John Jaques, Robert Hibbert, Evan Nepean, George Cruickſhank, William Ramſay, Alexander Alves, Edmund Puſey Lyon, George Cuthbert, Oliver Hering, Francis Smith, Benjamin Lyon, Robert Shawe, William Walker, and James Lewis junior, eſquires, ſhall be, and they are hereby appointed, truſtees for putting this act into execution; and the ſaid truſtees hereby appointed, or any ſeven or more of them, ſhall be, and they are hereby appointed, truſtees for putting this act into execution: And the ſaid truſtees, or any ſeven of them, ſhall have full power and authority, and they are hereby authorized and empowered, to deſign, direct, order, and build, a ſtone bridge acroſs the ſaid river called the Rio Cobre, from the place where the preſent bridge now ſtands, on the ſouth-weſterly ſide of the Rio Cobre, near the town of St. Jago de la Vega, or at ſome convenient place near the ſaid place, unto the oppoſite ſhore, in the pariſh of St. Catherine; and that the ſaid bridge, when built, ſhall be a free and public paſſage for all and every perſon or perſons, and his, her, and their carriages, cattle, and goods, and effects, without paying any toll or duty whatſoever for the ſame.

Truſtees appointed by the former Rio Cobre laws, with others herein appointed,

are to deſign a ſtone bridge, to be built across the Rio Cobre;

which is to be free to all perſons.

II. And be it further enacted by the authority aforeſaid, That the ſaid truſtees, or any ſeven or more of them, be, and they are hereby, authorized and empowered, within the ſpace of ſix months next after the paſſing of this act, to view the lands adjoining on the ſaid river, at or near the ſaid place, and to aſſign and lay out the place from whence to build the ſaid bridge unto the oppoſite ſide, and in what manner the ſaid bridge ſhall be erected and built, and the ways and paſſages to and from the ſame made, widened, and enlarged.

Truſtees to view lands adjoining on the river, aſſign ſituation, and lay out roads to the bridge.

III. And be it further enacted by the authority aforeſaid, That the ſaid truſtees, or any ſeven or more of them, ſhall contract and agree for the purchaſing (if they can), all lands or grounds which they ſhall judge neceſſary for erecting the ſaid bridge, and through which the roads or ways

They are to purchaſe lands they find neceſſary;

to

to and from the ſame are to be laid out; and, upon payment of ſuch ſum or ſums of money as ſhall be agreed to be paid for the ſame (and, in caſe no agreement ſhall be made for the ſame, on making ſatisfaction, in manner herein-after mentioned, to all owners of, and perſons intereſted in, ſuch lands and grounds, and to the leſſees and occupiers thereof), the ſaid truſtees are hereby authorized, empowered, and required, with all convenient ſpeed, afterwards to lay out and make ſuch roads, and erect ſuch bridge as aforeſaid, upon and through the ſaid lands; and this act ſhall be ſufficient authority to indemnify them, and all perſons authorized by them, for ſo doing, againſt the owners and all perſons intereſted in any ſuch lands or grounds, and the leſſees and occupiers thereof, as if the ſame had been ſold by any deed of conveyance, or other aſſurance in the law whatſoever.

and, after payment, make use of them.

IV. And be it further enacted by the authority aforeſaid, That the right and property of the ſaid bridge, to be built by virtue of this act, ſhall be veſted in the preſent truſtees, or the truſtee or truſtees for the time being, for the mending and keeping in repair the road leading from the church in the town of St. Jago de la Vega, in the pariſh of St. Catherine, to the church in the town and pariſh of Kingſton; and they, or any ſeven or more of them, are hereby authorized and empowered to bring actions, and alſo to prefer bills of indictment, againſt any perſon or perſons who ſhall wilfully and maliciouſly blow up, pull down, or deſtroy, the ſaid bridge, or any part thereof; and the offender or offenders, being lawfully convicted of ſuch offence, ſhall be adjudged guilty of felony, and ſuffer death as a felon: And the expence attending the purchaſing the ſaid lands, laying out and making the ſaid roads, and erecting the ſaid bridge, and the maintaining and repairing the ſaid roads and bridge, ſhall be borne and paid by the ſaid laſt-mentioned truſtees, by and out of the monies which have ariſen, or ſhall hereafter ariſe, from and out of the toll on the ſaid road leading from the church in the town of St. Jago de la Vega, to the church in the town and pariſh of Kingſton.

Property of the bridge vested in the present trustees, or the trustees for the road from Spanish-Town to Kingston.

Those who damage it are to be proceeded against as felons.

Expences of purchasing lands, erecting the bridge, &c. to be paid out of the Ferry toll.

V. And be it further enacted by the authority aforeſaid, That the preſent bridge over the ſaid river called the Rio Cobre, and the timber, plank, iron, ſtone, and other materials whereof the ſame is formed, is and are hereby veſted in the ſaid truſtees appointed in and by this act; and the ſaid truſtees, or any ſeven or more of them, are hereby authorized and empowered to uſe and employ ſuch part thereof as they ſhall ſee fitting towards erecting and building the ſaid bridge to be erected and built; and what thereof ſhall remain afterwards ſhall be ſold and diſpoſed of, for as much money as can be had or gotten for the ſame, as they ſhall from time to time think beſt; and the money ariſing, by and from the ſale of ſuch part thereof as ſhall be ſold, ſhall go and be applied to and for the purpoſes of this act.

Materials of the present bridge vested in the trustees; who are to use such of them as they think fit, in the stone bridge, and sell the remainder.

VI. And whereas it may happen that truſtees, guardians, feme-coverts, or others, who are ſeiſed of lands or grounds on which it may be neceſſary

to erect the ſaid bridge, or through which the ſaid roads muſt paſs as aforeſaid, may be willing to treat and agree to ſell ſuch lands or grounds, to perfect ſo uſeful and neceſſary a work, but are incapable of ſelling, granting, or conveying the ſame: Be it therefore enacted by the authority aforeſaid,

Perſons who are incapable of conveying lands, may ſell them for purpoſes of this act;

That it ſhall and may be lawful to and for all truſtees, guardians, femecoverts, executors, adminiſtrators, or other truſtees whomſoever, and every other perſon and perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in, any ſuch lands or grounds, to ſell all or any ſuch lands or grounds, or any part thereof, and all their eſtate, right, and intereſt whatſoever, of, in, and to, the ſame, to the ſaid truſtees appointed by this preſent act, or to ſuch perſon or perſons as they ſhall direct, in truſt and for the purpoſes of this act; and that all contracts, agreements, ſales, and conveyances, which ſhall be ſo made by virtue and in purſuance of this act as aforeſaid, ſhall, without any conveyance or acknowledgment whatſoever, be good, valid, and effectual, to all intents and purpoſes; any law, ſtatute, or uſage, or any other matter or thing whatſoever, to the contrary thereof in anywiſe notwithſtanding; and that all ſuch perſons are, and ſhall be hereby, indemnified for what they ſhall do by virtue of or in purſuance of this act.

and ſuch ſales, though without acknowledgment, are to be valid,

and venders indemnified.

VII. And be it further enacted by the authority aforeſaid, That if any perſon or perſons whomſoever ſhall refuſe to ſell, convey, and diſpoſe of, the lands or grounds whereof or wherein they ſhall be reſpectively ſo ſeiſed, poſſeſſed, intereſted, or intitled, as aforeſaid, or their reſpective rights, titles, claims, or intereſt, to, in, or upon, the ſame, or any part thereof, unto the ſaid truſtees under this preſent act, or ſuch perſon or perſons as they ſhall appoint, for the purpoſes, and according to the tenor, true intent, and meaning, of this preſent act, it ſhall and may be lawful for any juſtice of the peace of the pariſh of St. Catherine, upon application to him made by any ſeven or more of the ſaid truſtees hereby appointed for putting this act in execution, to iſſue his warrant to any lawful conſtable of the ſaid pariſh of St. Catherine, to ſummon a jury of twelve good and lawful men perſonally to be and appear, at ſuch time and place as in the ſaid warrant ſhall be expreſſed; who, upon their oaths (which oaths the ſaid juſtices are hereby empowered, and authorized to adminiſter), ſhall, with moſt conveniency to the public, and leaſt prejudice or damage to any particular perſon, view and lay out a road to and from the ſaid bridge, ſo hereby intended to be built, into the king's road, leading from the ſaid church in the town of St. Jago de la Vega, to the ſaid church in the town and pariſh of Kingſton; which ſaid road, ſo laid out, ſhall afterwards be known, deemed, and taken, as and for the king's highway: And in caſe any diſpute ſhall ariſe, between the ſaid truſtees and any of the owners or occupiers of any of the lands through which the ſaid roads ſhall be made, as to the value of the land through which the ſaid new road ſhall be ſo laid out, the jury ſhall, at the time of laying out the ſame, value and appraiſe ſuch lands, and alſo what damages ſuch

If any perſons refuſe to diſpoſe of their property in lands wanted,

a juſtice of St. Catherine's may cauſe a jury to be ſummoned,

to lay out a road to and from the bridge.

In caſe of diſputes, jury to value lands and eſtimate damages.

ſuch owners or occupiers ſhall or will ſuſtain by reaſon or means of taking up ſuch fences as ſhall be neceſſary for making ſuch road; and the valuation and appraiſement thereof ſhall be paid out of the monies collected or to be collected from the ſaid toll.

Recovery and application of penalties.

VIII. And be it further enacted by the authority aforeſaid, That if any juſtice, conſtable, or juryman, ſhall neglect his duty herein, every ſuch juſtice ſhall forfeit the ſum of fifty pounds, and every conſtable and juryman the ſum of five pounds, for every offence; which ſaid forfeitures ſhall be applied to the uſe of the ſaid road ſo to be made; and be recoverable, againſt ſuch conſtable and juryman, or any of them, by warrant of diſtreſs, to be iſſued under the hand and ſeal of any one juſtice of the peace, and, againſt ſuch juſtice, by bill, plaint, or information, in the ſupreme court of judicature of this iſland; any law, cuſtom, or uſage, to the contrary thereof in anywiſe notwithſtanding.

On payment of valuation aſſeſſed by jury, good titles to be given to truſtees.

IX. And be it further enacted by the authority aforeſaid, That, upon payment made of ſuch ſum or ſums of money ſo to be aſſeſſed and decreed as aforeſaid, the perſon or perſons to whom the ſame ſhall be ſo aſſeſſed and decreed, for the purchaſe of the ſaid lands or grounds, or for the purchaſe of any eſtate or intereſt therein, ſhall make and execute, or procure to be made and executed, good, valid, and legal, conveyances and aſſurances in the law, to the truſtees appointed by this act, or to any perſon or perſons whom they ſhall appoint, for the purpoſes of this act, of ſuch lands or grounds, or of ſuch eſtate or intereſt for which ſuch ſum or ſums of money ſhall be ſo awarded, and ſhall procure all neceſſary parties to execute ſuch conveyances, aſſignments, and aſſurances, and ſhall do all matters and things neceſſary or requiſite to make a clear, good, and perfect, title to ſuch premiſes, to the ſaid truſtees appointed by this act; and ſuch conveyances, aſſignments, and aſſurances, ſhall contain all ſuch reaſonable and uſual covenants as ſhall, on the part of the ſaid truſtees, be required: And in caſe ſuch perſon or perſons, to whom any ſuch ſum or ſums of money ſo awarded or due as aforeſaid, ſhall not be able to evidence their title to the premiſes, and to make, or procure to be made, good, valid, and legal, conveyances thereof to the ſaid truſtees, or to ſuch perſon or perſons as they ſhall appoint as aforeſaid, or ſhall refuſe ſo to do, being thereto required, and ſuch ſum and ſums of money, ſo aſſeſſed and awarded, or due as aforeſaid, being produced, and tendered to be paid to them on their making ſuch title, and executing and procuring to be executed ſuch conveyances, aſſignments, and aſſurances, that then, upon affidavit made by one of the ſaid truſtees of ſuch tender, and the refuſal or incapacity of ſuch perſon or perſons to execute and make ſuch good and ſufficient title to ſuch lands and grounds as aforeſaid, and filed in the office of the ſecretary of this iſland, all the eſtate, right, title, intereſt, uſe, truſt, property, claim, and demand, in law, and equity, in, to, and out of, ſuch lands and grounds, ſhall veſt in the ſaid truſtees

If perſons to whom ſatisfaction is awarded cannot prove their title, or refuſe to convey their intereſt, when payment tendered, proof being made thereof, eſtate is to veſt in truſtees,

truſtees appointed by this act, and they ſhall be deemed in law to be actually in the poſſeſſion thereof, to all intents and purpoſes, as fully and effectually, to all intents and purpoſes, as if every perſon having any eſtate in the ſaid premiſes had actually conveyed the ſame by good and ſufficient deeds, or other legal conveyance whatſoever; and all perſon and perſons whoſoever ſhall be for ever barred of all dower, and right and title of dower, and all eſtates tail in reverſion and remainder therein: Provided always, That if, at any time thereafter, the perſon or perſons who ſhall have any eſtate and intereſt in the premiſes ſhall make and execute, or cauſe or procure to be made and executed, a good and ſufficient conveyance and aſſurance of all his eſtate and intereſt therein, to the ſaid truſtees under this preſent act, or the perſon or perſons who ſhall be intitled to the ſame, then the preſent truſtee or truſtees, or the truſtee or truſtees for the time being, appointed for maintaining and keeping in repair the roads leading from the church in the town of St. Jago de la Vega, in the pariſh of St. Catherine, to the church in the town and pariſh of Kingſton, do and ſhall pay, unto ſuch perſon or perſons, ſuch ſum or ſums of money as ſhall be awarded and aſſeſſed, or due as aforeſaid.

and all claim be barred.

But if conveyances are afterwards made, truſtees are to pay valuation.

X. And be it further enacted by the authority aforeſaid, That the ſaid truſtees appointed by this act, or any ſeven or more of them, ſhall, within ninety days after the paſſing hereof, meet at the court-houſe in the town of St. Jago de la Vega, between the hours of ten and twelve in the forenoon, public notice being firſt given, in the news-papers, of the day appointed, fourteen days at the leaſt before ſuch intended meeting), in order to receive propoſals, and to make and enter into contracts and agreements with any perſon or perſons, for the building of that bridge, and for the furniſhing and ſupplying materials for the ſame, and to do all matters and things as ſhall or may be neceſſary for carrying and effecting the purpoſes aforeſaid; and ſhall then adjourn themſelves, and afterwards meet at any time or times at the ſaid town of St. Jago de la Vega, or elſewhere, as they the ſaid truſtees, or any ſeven or more of them, ſhall think proper and convenient, and as often as ſhall be neceſſary for putting this act into execution: But if there ſhall not appear, at any meeting or meetings which ſhall be appointed by the ſaid truſtees, a ſufficient number of truſtees to act at ſuch meeting or meetings, and to adjourn to any other day, then, and in ſuch caſe, the treaſurer for the time being (which ſaid treaſurer the ſaid truſtees, or any ſeven or more of them, at their firſt meeting after the paſſing of this act, are hereby empowered to chooſe and appoint out of their own body, and afterwards, in caſe of the death or other diſqualification of ſuch perſon, to chooſe and appoint any other in his ſtead, out of their own body, as they ſhall think proper) ſhall, and he is hereby required to, appoint another meeting of the ſaid truſtees, and ſhall give public notice thereof as aforeſaid: And the ſaid truſtees, at their firſt meeting, and at all other ſubſequent meetings, ſhall defray their own charges and expences.

Truſtees to meet in ninety days, to receive propoſals and make contracts.

They may appoint their ſubſequent meetings;

but if at any of them a ſufficient number do not attend, the treaſurer (who is to be choſen at the firſt meeting)

is to appoint another meeting.

Truſtees to pay their own expences.

XI. And

Minutes to be kept of all receipts, contracts, &c.

XI. And be it further enacted by the authority aforesaid, That the said trustees appointed to put this act in execution shall, from time to time, cause to be fairly written and entered, in one or more book or books to be kept for that purpose, minutes of all receipts, payments, debts, orders, and contracts, had, made, contracted, or entered into, for or on account of the building the said bridge, and all other the proceedings and transactions of the said trustees.

Purchases, labour, &c. to be by contract;

and proposals advertised for.

XII. And, to the end that the said bridge may be built with the best materials, and in the cheapest manner, be it further enacted, That all materials to be found, and all work to be done, for building the said bridge, shall be by contract; and notice shall be given, in one of the news-papers, for one month, of what materials are wanting, and of the work required to be done, and for persons to send in their proposals.

Treasurer may receive voluntary contributions and subscriptions.

XIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the treasurer appointed, or to be appointed, by virtue of this act, to receive or take, from any person or persons whomsoever, any sum or sums of money that shall or may be voluntarily given, contributed, and engaged and promised to be paid by subscription, and for and towards the building of the said bridge, and which monies shall, from time to time, be paid into the hands of the treasurer for the time being, to be chosen and appointed as aforesaid; and shall be by him paid and applied, for and towards building the said bridge, in such manner as the said trustees, or any seven or more of them, at their meetings to be had by virtue of this act, shall, from time to time, by writing under their hands, direct and appoint.

Contractors may collect materials (timber excepted) for bridge and roads from uncultivated grounds.

If not sufficient, they may, by order of trustees, take them from any persons lands

(particular places excepted),

XIV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the person or persons who shall contract with the said trustees for making such road as herein before mentioned, to dig, gather, take, and carry away, any gravel, stone, sand, or other materials, out of any savanna, waste and unincloſed or unopened land, river or brook, (timber only excepted), in or near which the said roads shall be carried, as shall be proper for making the said bridge and roads, without paying any thing for the same, such contractor or contractors levelling, or causing to be levelled, all such holes and pits where any such materials shall be dug, gathered, or taken, and from whence the same shall be carried away; and where there is not sufficient of such materials in such savannas, waste, unincloſed, or unopened land, as aforesaid, it shall and may be lawful for such contractor or contractors, by order of the said trustees hereby appointed to carry this act into execution, or any seven or more of them, to dig and gather the same out of the several ground or grounds of any person or persons (not being the ground whereon any house or houses stand, garden, yard, or meadow, planted walk or walks, or avenue to an house, or

or any piece or parcel of proviſion-ground), where any ſuch materials are or may be found, and from time to time to carry away ſuch and ſo much thereof as the ſaid contractor or contractors, in their reſpective place, ſhall judge neceſſary for making the ſaid bridge and roads; paying ſuch rates for ſuch materials, and for the damage done to the owners and occupiers reſpectively of the ground where and from whence the ſame ſhall be dug, gathered, or carried away, or over which the ſame ſhall be carried, as the ſaid truſtees appointed to put this act into execution, or any ſeven or more of them, ſhall judge reaſonable: And in caſe of any difference concerning the ſame, between ſuch owners or occupiers and the ſaid truſtees, contractor, or contractors, touching ſuch damage as aforeſaid, the ſame ſhall be determined by a jury of the precinct, and in their quarter-ſeſſions.

paying for them and for damages; reſpecting which, if differences arise, they are to be adjusted at quarter-sessions.

XV. And be it further enacted by the authority aforeſaid, That, from and immediately after the ſaid ſtone bridge ſhall be built as aforeſaid, and the ſaid roads completed as aforeſaid, the lands which ſhall be purchaſed under this act, and the ſaid bridge, ſhall be veſted in the preſent truſtee or truſtees, or the truſtee or truſtees for the time being, for amending and repairing the ſaid road from the church in the town of St. Jago de la Vega, to the church in the town and pariſh of Kingſton; and they, and the contractor or contractors with whom they ſhall engage for keeping the ſaid roads in repair, are hereby inveſted with the ſame, and as full, powers and authorities as they now or at any time are or may be poſſeſſed of, under any act of the legiſlature of this iſland, for amending and repairing the ſaid road from the town of St. Jago de la Vega aforeſaid, to the town of Kingſton, or in any other manner whatſoever.

Lands and bridge veſted in truſtees;

and full authority given to them and contractors for the roads.

XVI. And be it further enacted by the authority aforeſaid, That the ſaid truſtees appointed for putting this act in execution, or any ſeven or more of them, are hereby authorized and empowered to grant, to the contractor or contractors for building the bridge and making the roads aforeſaid, and to all and every perſon and perſons who ſhall from time to time provide and ſupply the materials neceſſary for the ſame, or who ſhall otherwiſe be employed in or about the premiſes, a certificate or certificates, under their hands, for the amount of what may from time to time be due and payable to them reſpectively, ſpecifying the ſum in each certificate, and that the bearer thereof will be intitled to have and receive, at the expiration of twelve months from the date of ſuch certificate or certificates, the ſum therein mentioned, with intereſt thereon at the rate of ſix pounds *per centum* from the date of ſuch certificate or certificates, from and out of the monies which have ariſen, or ſhall hereafter ariſe, from the toll on the ſaid road from the town of St. Jago de la Vega to the town of Kingſton aforeſaid; and which certificate or certificates the ſaid preſent truſtee or truſtees, or the truſtee or truſtees for the time being, for amending and repairing the ſaid road from the church in the town of St. Jago de la Vega, to the church in

Truſtees are, for payments to contractors, &c. to give certificates, payable with intereſt in 12 months, out of the tolls collected on the road from Spaniſh-Town to Kingſton;

the truſtees for which road are hereby required to make ſuch payments.

in the town and parish of Kingston, are hereby directed and empowered to pay, out of any monies which now or hereafter may be in their hands as such trustees as aforesaid: And in case the said last-mentioned trustees shall not, at the respective times such certificate or certificates shall become payable as aforesaid, have sufficient monies in their hands to pay off and discharge the same, then, that the said trustees last mentioned shall, out of the monies then in their hands, or out of the monies that shall thereafter come to their hands, pay unto the holder or holders of such certificate or certificates, in the first place, the interest then due thereon, and shall thereafter annually pay, to the holder or holders of such certificate or certificates, the interest to accrue thereon respectively, until the principal shall be paid.

If they have not monies when certificates presented, they are to pay interest, and so on annually till principal discharged.

CAP. XXXI.

An act to put the fort at Montego-Bay, in the parish of St. James, upon the island establishment.

[10th March, 1792.]

WHEREAS it is thought necessary to put the fort at Montego-Bay upon the public establishment, and to authorize and appoint commissioners to inspect the same, and to order the repairing and making such additions and alterations as shall from time to time be thought necessary: Be it enacted and ordained by the lieutenant-governor, council, and assembly of this island, and it is hereby enacted and ordained by the authority of the same, That the present commissioners of forts, fortifications, and public buildings, for the time being, be, and they are hereby appointed, commissioners; and they or any seven of them, one of the council and three of the assembly being always part of that number, are hereby authorized and empowered, jointly with his honour the lieutenant-governor, or the governor or commander in chief for the time being, to order the repairing and making such additions to the said fort at Montego-Bay, in the parish of St. James aforesaid, as shall from time to time be thought necessary; and they are hereby also authorized and empowered to make contracts with workmen, or others, for materials, workmanship, and labour, and to hire slaves for the repairing, carrying on, and finishing, the same, not exceeding the sum of one thousand pounds.

Preamble.

Commissioners of forts, &c. appointed commissioners under this act;

who, with the governor, may repair and enlarge the fort at Montego-Bay,

make contracts, hire slaves, &c. at an expence not more than 1000l.

II. And be it further enacted by the authority aforesaid, That no money shall be issued or paid for the above purpose, out of the funds already granted, or hereafter to be granted, for the use of forts, fortifications, barracks, and public buildings, in this island, commonly called the fortification fund, but by order under the hands of his honour the lieutenant-governor, or the governor or commander in chief for the time being, and the said commissioners, or any seven of them, one of the council and three of the assembly being always part of that number.

No money to be paid for this purpose out of the fortification fund, but by order of the governor and commissioners.

Number of fort officers.

III. And be it further enacted by the authority aforeſaid, That the officers of the ſaid fort ſhall conſiſt of a captain, one lieutenant, and two quarter-gunners, and no more.

Governor and commiſſioners may direct the collecting materials, making ſatisfaction.

IV. And be it further enacted by the authority aforeſaid, That the ſaid commiſſioners, or any ſeven of them, one of the council and three of the aſſembly being always part of that number, ſhall have full power and authority, jointly with his honour the lieutenant-governor, or the governor or commander in chief for the time being, to order the digging up and carrying away ſand and earth, and collecting, blowing up, or carrying away, ſtones, for the uſe of the ſaid fort, out of the lands of any perſon whatſoever, making the proprietors a reaſonable compenſation for the ſame, as alſo for any damage or injury that may ariſe to ſuch proprietor or proprietors, by reaſon or means of the digging up of ſand or earth, or collecting or blowing up ſtones, or carrying away ſuch materials, for the purpoſe aforeſaid.

CAP. XXXII.

EXPIRED. *An act for raiſing a tax by the poll, and on trades, ſupercargoes, and maſters of veſſels in the out-ports; and on offices and houſes; and for laying a tax on certain wheel-carriages; and applying the ſame to ſeveral uſes.*—[15th March, 1792.]

CAP. XXXIII.

An act to repeal an act entitled, "An act to regulate the ſales of newly-imported negroes; and to prevent, as far as poſſible, the ſeparation of different branches of the ſame family;" and to regulate the ſales of newly-imported negroes; and to prevent, as far as poſſible, the ſeparation of different branches of the ſame family.—[10th May, 1792.]

Preamble.

WHEREAS inconveniencies have ariſen by ſelling cargoes of new negroes in the manner directed by an act entitled, *An act to regulate the ſales of newly imported negroes; and to prevent, as far as poſſible, the ſeparation of different branches of the ſame family:* We, your majeſty's dutiful and loyal ſubjects the aſſembly of this your majeſty's iſland of Jamaica, do moſt humbly beſeech your majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of the ſaid iſland, and it is hereby enacted and ordained by the authority of the ſame, That the above recited act be, and it is hereby, repealed and made void; and the ſame is hereby repealed, made void, and annulled, to all intents and purpoſes whatſoever; any thing in the ſaid law contained to the contrary in anywiſe notwithſtanding.

Repeal of recited act.

New negroes not to be ſold

II. And be it further enacted by the authority aforeſaid, That, from and after the paſſing of this act, no merchant, factor, ſupercargo, or conſignee,

ſignee, of any cargo of ſlaves, arriving in any of the ports of this iſland, ſhall hereafter expoſe ſuch cargo to ſale on board the ſhip or other veſſel in which the ſame is imported; but ſhall procure or hire, or cauſe to be procured or hired, a proper and commodious houſe, or covered incloſure or ſhed, which ſhall be well and ſufficiently aired and lighted, wherein the ſaid ſlaves ſhall be arranged for ſale, under the penalty of five hundred pounds.

on board veſſels; but a proper place be procured on ſhore for the ſale, under penalty of 500*l.*

III. And, in order to prevent, as far as poſſible, the ſeparation of different branches of the ſame family, be it further enacted, That the merchant or factor by whom the ſales are conducted ſhall, on clearing the ſhip or other veſſel, and paying the duties, make oath, under a like penalty, that, in the ſale, he has done his utmoſt to claſs and ſell together mothers and their children, and brothers and ſiſters.

Factor to ſwear that he has claſſed relations together.

IV. And be it further enacted by the authority aforeſaid, That the penalties laid by this act ſhall be recovered, by bill, plaint, or information, in the ſupreme court of judicature of this iſland, by any perſon who ſhall ſue for the ſame; wherein no eſſoin, imparlance, or wager of law, or *non vult ulterius proſequi*, ſhall be granted or allowed; the half of ſuch penalties to be to our ſovereign lord the king, his heirs and ſucceſſors, for and towards the contingent charges and expences of this iſland, and the other half to the informer, or the perſon who ſhall ſue for the ſame.

Recovery and application of penalties.

CAP. XXXIV.

An act to prohibit the purchaſing, hiring, or employing, certain foreign ſlaves, except as therein mentioned.—[10th May, 1792.] EXPIRED.

CAP. XXXV.

An act to enable his honour Adam Williamſon, eſquire, lieutenant-governor, or the governor or commander in chief for the time being, to take ſlaves from the ſeveral workhouſes of this iſland, for certain purpoſes, and on certain conditions.—[10th May, 1792.]

WHEREAS his majeſty has been graciouſly pleaſed to ſend, for the ſervice of this iſland, a regiment of light dragoons, for which pioneers are wanted: And whereas ſlaves may be obtained from the ſeveral workhouſes of this iſland, who can act in that capacity, whereby the condition of ſuch ſlaves will be improved, and his majeſty's ſaid regiment ſerved on the moſt moderate terms: May it pleaſe your moſt excellent majeſty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and aſſembly, of this your iſland of Jamaica, and it is hereby enacted and ordained by the authority of the ſame, That it may and ſhall be lawful for his honour Adam Williamſon, eſquire, lieutenant-

Preamble.

Governor empowered

to have the workhouses inspected for slaves subject to be sold.

lieutenant-governor, or the governor or commander in chief for the time being, and he is hereby empowered and required, to have the ſeveral workhouſes in this iſland inſpected for ſuch ſlaves, confined therein, as are or hereafter may be advertiſed for ſale, as is directed by a certain act, entitled, *An act for eſtabliſhing public workhouſes in the ſeveral pariſhes in this iſland*, paſſed in the year of our Lord one thouſand ſeven hundred and ninety-one;

32 Geo. III. cap. 11.

Such of them may be taken as are fit to be pioneers to the light dragoons,

if workhouse fees are paid,

and ſuch ſlave or ſlaves as ſhall appear to the ſaid commander in chief, or to any perſon or perſons whom he may be pleaſed to appoint or authorize ſo to do by virtue of the power hereby veſted in him, to be a fit and proper perſon to perform the duty of a pioneer to the ſaid regiment of light dragoons, upon paying to the ſuperviſor or ſuperviſors of every ſuch workhouſe, from which the ſaid ſlave or ſlaves ſhall be taken, the fees due to the workhouſe, for payment of which ſuch ſlave or ſlaves is, are, or hereafter may be, advertiſed for ſale as aforeſaid: Provided nevertheleſs, That no perſon or perſons appear to claim ſuch ſlave or ſlaves, as his or their proprietor or proprietors, or as otherwiſe intitled to the lawful poſſeſſion of the ſaid ſlave or ſlaves.

and no persons claim them.

If claimants afterwards appear, they are to be delivered up, commanding officer being reimbursed;

II. And be it enacted by the authority aforeſaid, That if the proprietor or proprietors of the ſaid ſlave or ſlaves, or any perſon or perſons intitled to the poſſeſſion of the ſaid ſlave or ſlaves, ſhall afterwards appear and claim the poſſeſſion of him or them, that every ſuch ſlave or ſlaves ſhall be delivered up to ſuch perſon or perſons, intitled as aforeſaid to hold or poſſeſs him or them, upon firſt paying to the commanding officer of the ſaid regiment of dragoons all fees paid, as aforeſaid, to the ſuperviſor or ſuperviſors of the workhouſe or workhouſes for ſuch ſlave or ſlaves as aforeſaid, and alſo all expences which may have been incurred in defending the poſſeſſion of the ſaid commanding officer of the ſaid regiment of light dragoons, to the ſaid ſlave or ſlaves.

but no hire is to be paid for the time they act as pioneers.

III. And be it further enacted by the authority aforeſaid, That the proprietor or proprietors, poſſeſſor or poſſeſſors, of ſuch ſlave or ſlaves, or any other perſon or perſons, ſhall not be intitled to demand or receive any hire, rent, or other ſatisfaction, for the labour of the ſaid ſlave or ſlaves, during the time or times, or any part thereof, which the ſaid ſlave or ſlaves ſhall or may have acted in the capacity of a pioneer or pioneers to the ſaid regiment of light dragoons, as aforeſaid; any law, cuſtom, or uſage, to the contrary in anywiſe notwithſtanding.

BRITISH MUSEUM

CAP. XXXVI.

EXPIRED. *An act for raiſing an additional tax by the poll, for the pay and ſubſiſtence of lieutenant-colonel Gardner's regiment of light dragoons; and for other purpoſes in the ſaid act mentioned.*—[10th May, 1792.]

END OF THE SECOND VOLUME.